The Washington Monthly

MAY 1996 $3.95 (CAN $4.95)

LIMBAUGH'S MEDICINE SHOW

■

WHAT BILL GATES COULD LEARN FROM ANDREW CARNEGIE

■

JAMES FALLOWS ON E.J. DIONNE

THE REAL BLOOD SPORT

A look inside the Whitewater scandal machine • By Amy Waldman

Why the Tobacco Companies Love States' Rights • By Morton Mintz

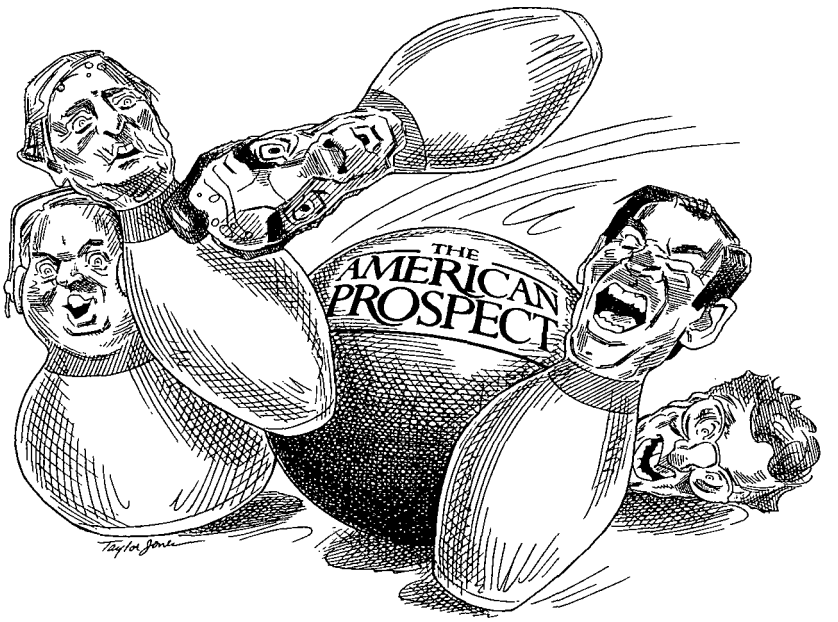
A Union With Ties to the Mob—and the White House • By John E. Mulligan and Dean Starkman

Richard Reeves on *Kennedy & Nixon*

Donald Graham on Serpico's Partner

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BOWLING ALONE?

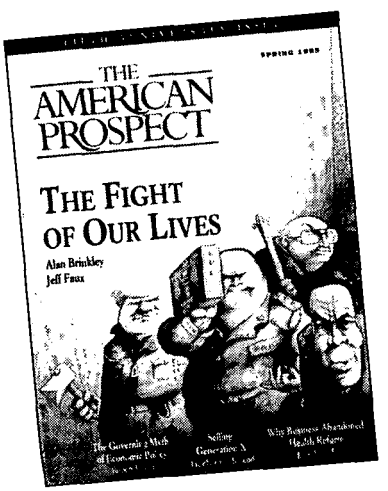


JOIN A LIBERAL COMMUNITY

Since 1990, *The American Prospect* has been striking back, challenging conservative dogmas and rebuilding a community of liberal thought.

The American Prospect was founded by Pulitzer Prize-winning author Paul Starr, syndicated columnist Robert Kuttner, and Secretary of Labor Robert Reich, the conscience of the Clinton Administration.

The American Prospect is now a bimonthly — offering provocative debates, groundbreaking investigations, novel ideas, and positive solutions to America's problems. So, treat yourself to a liberal dose of graceful writing on politics and public affairs.



Call 1-800-872-0162. Or fax this form:

❑ YES! Please enter my risk-free subscription to *The American Prospect* for 6 bimonthly issues at the rate of only $19 -- almost 40% off the cover price.

With my prepaid subscription, I receive Robert Putnam's influential article, "The Strange Disappearance of Civic America."

❑ Check enclosed ❑ Charge my: ❑ Visa ❑ M/C

_____

Exp. Date _____

Name: _____

Address: _____

_____

Telephone # _____

Please return to:
The American Prospect
P.O. Box 383080
Cambridge, MA 02238
FAX: (617) 547-3896
PHONE:1-800-872-0162
E-MAIL: tap@epn.org
WWW: http://epn.org

WMT 596

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Washington Monthly

Volume 28, Number Five May 1996

4 Tilting at Windmills *by Charles Peters*
Madame Chiang Kai-Sean-Penn ... The *Monthly* goes to bat ... Massaging the law ... and other odds and ends....

8 Rush's Medicine Show *by Michael Crowley*
The dubious world of Rush Limbaugh's advertisers.

11 A F.O.B. and the Mob *by John E. Mulligan and Dean Starkman*
The Laborers' Arthur Coia has built himself into a Washington power player. But his union still needs cleaning up.

17 A Bad IDEA *by Dante Chinni*
How the nation's special education law is hurting our schools—and why Congress won't touch it.

20 Blowing Smoke Rings Around the Statehouses *by Morton Mintz*
How the states roll over for the tobacco industry.

23 The Real Blood Sport: The Whitewater Scandal Machine *by Amy Waldman*
Critics say Whitewater is about the Clintons' effort to contain a scandal. But even more, it's about their opponents' success in creating one.

34 Where Have You Gone, Andrew Carnegie? *by Peter Henle and Mark Drajem*
Why today's big earners should be big givers too.

38 Bill Clinton: How to Save the Public Schools
The President prescribes surprisingly strong medicine for our ailing schools.

ON POLITICAL BOOKS

41 Don Quixote With a Badge *by Donald E. Graham*
How one New York cop took on the system—and paid the price.

43 Mozart & Salieri *by Richard Reeves*
The rivalry and friendship between Kennedy and Nixon that dominated post-war America.

45 Lost at Sea *by Scott Shuger*
How the Reagan-era Navy sold taxpayers—and its own officers—down the river.

48 Political Booknotes *Reviews by James Fallows, Geraldine Brooks, William A. Galston, Robert F. Nagel, Ken Silverstein, Alan Greenblatt, Ross K. Baker, and Donald F. Kettl*

DEPARTMENTS

2 Letters
10 Tidbits and Outrages
32 Who's Who
37 Memo of the Month
40 Monthly Journalism Award
60 Political Puzzle

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Letters

State of the Unions

In response to the recent articles "Bust the Teacher's Unions" (January/February) and "The Public Schools' Last Hurrah?" (March): One of the "apple pie" demands of today's political world is 'We need better schools.' Who could argue, especially in light of the mounting evidence of students' failures, increasing societal problems, and economic dislocations?

Most criticisms of public schools that I have read focus on wasted money and irrational administrative decisions. Recently, though, *The Washington Monthly* has accused two more villains: teachers' unions and lousy teachers. The proposed solution? Get rid of them both.

Certainly the protection of workers through collective bargaining is an inconvenience to any management, and certainly many unions exceed their useful role of protection against unfair actions. Some teachers lack skills, lack motivation, or exhibit poor character. But who would disappear after teachers lost their tenure, political voice, and legal insurance?

1. The math teacher who also coaches football but whose teams have been losing and whose defense strategy has been ridiculed.

2. The insecure science teacher who, upon seeing the principal sit down in her classroom with his clipboard, loses her composure and confidence and teaches a lousy hour.

3. The Catholic in a Mormon town (or Protestant in a Catholic town, or atheist in a fundamentalist town) who lets his views on religious freedom be known outside school.

4. The business teacher who infuriates her colleagues and administration by her ignorance of procedures, but whose demanding presence has been the sole reason for the later success of many of her students.

5. The geography teacher who accepts the definition of a "C" grade as "average," and believes that rewards have value only when they are earned.

These examples are all composites of teachers that I know, and of me. It seems to me that one of the (rather low) prices we pay for the privilege of keeping inspiring, courageous, hard-working teachers is the nuisance of the occasional deadwood.

Bruce M. Bradberry
Moscow, ID

Meeting the Challenge

As a veteran of many bureaucratic battles, I can sympathize with Charles Peters's "long-standing lament about the vast amount of time wasted in meetings" ("Tilting at Windmills," March). But when meetings cannot be avoided, there are two ways of lessening their impact. Rule No. 1: All meeting rooms should be provided with office supplies—but not with food, drink, or chairs. Rule No. 2: All meetings should be scheduled to begin at 4 P.M. Fridays.

William M. Burke
San Francisco, CA

Gay is Good

We were flabbergasted by Charles Peters's comments on liberalism and sexual orientation suggesting that we should sacrifice the basic civil rights of our fellow citizens in the name of consensus ("Tilting at Windmills," January/February). Thirty years ago people were arguing that racial equality was too divisive an issue, and that we should find common ground with conservative whites and stop pushing so hard on integration. They were wrong then, and Peters is wrong now.

Rather than give in to the fears of conservatives, we should be educating them about why gay rights are common rights. When Peters speaks of good schools for all students as a liberal value, we trust that he is including queer students among their number. And good schools for queer students are schools where they are not taunted, beaten, or told by the administration to expect such treatment, schools in which they are represented on the faculty and in sex education, in history texts and on the literature syllabus. Homosexuality is not a disease, and it does not spread. Unfortunately this basic idea is not understood by many people.

Barbara and Christopher Purdom
Interfaith Working Group
Philadelphia, PA

Charles Peters replies: The Washington Monthly *was a pioneer in the sexual revolution, publishing in its first two years such articles as "Violence and the Masculine Mystique" and "Gay is Good for Us All." There has never been even a hint of homophobia in these pages. We are appalled by those who would torment gay students, and we most definitely have never believed that homosexuality is a disease. But we do believe, as I wrote in the January/February issue, that the heart of liberalism is "concerned with issues such as health and education and jobs, with giving everyone a fair chance in life. Instead of concentrating on these issues, too many liberals have devoted their major energies to causes like gun control, abortion rights, gay rights, and affirmative action. It is not that these causes do not deserve support. But something has gone badly wrong when they get all the attention." And although I strongly support gay rights, I do not*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

scorn all those who do not want to promote homosexuality. It is possible to embrace the great majority of people who are homosexual by nature without wanting to see their lifestyle presented as alluring to children and adolescents who were not born gay and have a choice.

Decent and reasonable men and women can disagree with us liberals not only on gay rights but on abortion and other social issues as well. Just because they disagree with us on these matters should not exclude them from partnership in the crucial struggles to secure good schools for each child, decent jobs for every adult, and quality medical care for us all.

Voter Oregonization

As a fellow Oregon Democrat and equally passionate proponent of enhancing political participation, I must take exception to some of the remarks of my friend Phil Keisling regarding vote-by-mail ("What If We Held An Election and Nobody Came?" March). I would not disagree with its success in increasing voter turnout, but I would question its value in raising the level of political sophistication among the voters to make better, more informed choices. I know that it was not designed to do that. But in its absence, greater turnout by itself is of limited value.

While I would agree that participation is fundamental to democracy, it certainly does not assure it, as any citizen in a repressed Third World country with mandatory voting would undoubtedly attest. The essence of democracy, as Thomas Jefferson would remind us, is *informed* participation. Whether through our formal educational structures or the mass media (or both), "political literacy" must be promoted if we are to retain our democratic institutions.

I must contest his claim that voting at the polling place is merely an arcane "ritual" that effectively disenfranchises those who must "punch a time clock or work two jobs to support a family." Polls in this state are open from 8 a.m. to 8 p.m. and, for most people, are located near enough to their homes to take care of the whole procedure in 15 to 20 minutes.

What "ought to matter" is certainly not "whether you stand in line to vote," but neither is it solely "whether you vote at all," as Phil suggests. What really ought to matter is whether your vote is the product of a well-reasoned and balanced inquiry into the merits and flaws of any particular candidate, race, or ballot measure. And that is not a process addressed or solved by an increase in turnout, regardless of its source.

I agree that public discourse and public policy should not be shaped solely by the intellectual, political, or business elite. Rule by the few, or minority government, in the absence of greater public input *is* a social and political travesty.

But voting more frequently and in greater numbers doesn't make us better voters, nor does it necessarily promote better policy outcomes. For that to happen, each of us needs to recognize and understand what our absence from the political process has allowed the few to gain at the expense of the many. Vote-by-mail may be simply encouraging more of the "knee-jerk populism" that has already produced some dubious policies and lackluster politicians.

Steve Candee
Eugene, OR

A Loyal Reader Writes

You were so right in noticing how the press downgrades the President whenever they mention him, no matter whether he is wrong or right ("Tilting at Windmills," April). I have often noticed this offensive proclivity of reporters.

I am 89 years old, live alone in a 113-year-old house and read much. My eyes are now becoming dim—how I hate that!—but I will subscribe to *The Washington Monthly* as long as I can read.

Ada J. Laverty
Alma, KS

The Washington Monthly

Editor in Chief Charles Peters
Publisher Casandra Tate
Editors Joshua Wolf Shenk, Amy Waldman
Contributing Editors Jonathan Alter, Thomas N. Bethell, Tom Bethell, Taylor Branch, Matthew Cooper, Gregg Easterbrook, James Fallows, Christopher Georges, Paul Glastris, Mickey Kaus, Phil Keisling, Michael Kinsley, Nicholas Lemann, Suzannah Lessard, Arthur Levine, Jon Meacham, Joseph Nocera, Leonard Reed, John Rothchild, Jonathan Rowe, David Segal, Walter Shapiro, Scott Shuger, Steven Waldman
Editorial Advisory Board Charles W. Bailey, James David Barber, Edgar Cahn, David Halberstam, Murray Kempton, Richard Reeves, Hugh Sidey
Business Manager Rebecca Gray
Production Manager David J. Linker
Assistant to the Editor Marguerite Lucas
Interns Amit Chibber, Mark Drajem, Emma Eriksson, Amy Feldman, Lisa Fine, Vanita Gowda
Proofreaders Rachel Schwartz, Jennifer Shecter, Rose Shope

Subscription rates: U.S. and possessions: one year, $39.50; two years, $74; three years, $105. For Canadian and foreign subscriptions, add $7 for surface delivery; air mail delivery add $32. Back issues, $5.00. Send correspondence concerning subscriptions, undelivered copies, and changes of address to Box 587, Mount Morris IL, 61054. For change of address, please provide six weeks' notice and include old address label. Send subscription complaints to Charles Peters, *The Washington Monthly*, 1611 Connecticut Avenue, N.W., Washington, DC 20009. *The Washington Monthly* is indexed in the Book Review Index, Political Science Abstracts, Public Affairs Information Service, the Readers' Guide to Periodical Literature, and Ulrich's International Periodicals Directory and may be obtained on microfilm from University Microfilms International, Ann Arbor, MI 48106. For reprint rights for all or part of an article call David Linker at (202) 462-0128. Published monthly except combined January/February and July/August issues by The Washington Monthly Company, 1611 Connecticut Ave. NW, Washington, DC 20009 (202) 462-0128. Printed in U.S.A.

© 1995 The Washington Monthly Co. All rights reserved. Reproduction by any method whatsoever without permission is prohibited.

ISSN 0043-0633. Postmaster: Send change of address to *The Washington Monthly*, Box 587, Mount Morris IL, 61054. Second class postage paid at Mechanicsburg, PA. **Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope. Send to: Editors, 1611 Connecticut Ave, NW, Washington, DC 20009 or e-mail to twmeditors@aol.com.**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tilting at Windmills

Did you hear about the Bureau of Alcohol, Tobacco, and Firearms agents who were investigating a series of fires at black churches in the South and were found to have attended the racist "Good Ol' Boys Roundup" in Tennessee? The good news is that two of them were removed from the task force. The bad news is that 10 other agents remain....

This magazine has been critical of Ron Brown on ethical issues. But one thing is clear: He won the respect and support of the career employees to a degree that sets him apart from the average cabinet member. This was evident in the strong and sustained applause that greeted the mention of his name when Bill Clinton addressed them the day of his death. One employee told *The Washington Times*: "In all my 27 years, [Mr. Brown] did more than any other secretary to build up the image and pride we had. Most other Secretaries were what I'd call 'caretakers.'" Another employee said, "He was the best damn Secretary I've seen in 25 years."...

"Caretaker," by the way, is an important concept for students of political science to understand. After the Great Society the federal government became distinctly less activist in the domestic sphere. There were exceptions, especially in new agencies such as the EPA, but on the whole the agencies of the executive branch (except those involved in national security matters) tended to take on the air of quiet backwaters. This in turn tended to attract to their leadership people who were more interested in having the title than in doing the work. And this was especially true among sub-cabinet members, who often from the day they took office seemed to look forward to leaving and cashing in after a couple of years of service earned them an entry in Who's Who. The best of these people were like Jimmy Carter and George Bush—with a genuine passion for stewardship but with little in the way of an affirmative agenda for the country. The worst were time servers who only cared about building their resumes and whose indifference to anything but avoiding trouble demoralized those who served under them....

Madam Chiang Kai-Shek, whose husband was the leader of Nationalist China during World War II, was depicted as a living saint to Americans of that era by the then-immensely powerful publications—*Time*, *Life*, and *Fortune*—owned by Henry Luce. This picture was not exactly accurate. Recently, the great lady's true nature was revealed during a rare public appearance in New York when she turned to photographers and said: "I'm going to break your cameras."...

In my lifetime, the great ceremonial presidents—the ones who could play the role of unifying leader at times of tragedy and celebration—have been Franklin Roosevelt, Dwight Eisenhower, John Kennedy, and Ronald Reagan. Bill Clinton is getting better and better at the role and I suspect will soon approach the level of the best. Of course, as I pointed out last month, the press will probably say his motivation is "political." But shouldn't every act of a democratically-elected president have politics as at least one factor in the thought behind it? A democratic leader ought to take into account the attitudes, values, and wishes of his people. He may, on occasion, have a moral obligation to go against the majority will, but he owes it to his people to consider their feelings carefully.

One of the craziest things that's happened in this country is the automatic scorn we have come to display toward politicians and politics. How is a democratic country to operate except by a political process that results in the election or defeat of politicians by the people at the polls?...

It now seems probable that the anonymous letter was fabricated. I'm talking about the one that got the one juror who says she would have voted guilty in the Simpson case and stuck by it. If she had, the jury would have been hung and Simpson could have been retried for murder, which in my opinion is what should have happened. The prosecutors were sufficiently inept that it can be argued they didn't deserve to win the first trial. But the case against Simpson was so strong that it deserved another chance at competent presentation. The anonymous letter ruled this out by denying the jury the service of one per-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

son who understood the concept of DNA.

It seems incredible to me that, according to *The New York Times*, "neither Judge Ito nor the prosecutor's office investigated the source of the letter" before the juror was dismissed....

In 1977, the federal government built an explosives plant in the aptly-named Nitro, W.Va, near my hometown of Charleston. Then the fear was that the place would blow up. Subsequently, the site was acquired by chemical companies including Monsanto and now goes under the name Flexsys. Today the fear is of a leak. And it is not without foundation. Stored at the facility, according to *The Charleston Gazette*, are 29,000 pounds of ammonia, 180,000 pounds of chlorine, 100,000 pounds of hydochloric acid, and 500,000 pounds of sulfuric acid. On January 24, 1995, a release of chlorine gas occurred. The company said not to worry—it wasn't a leak but merely an "odor excursion."...

In our last issue, Amy Waldman argued that we could have low inflation with a lot fuller employment than Alan Greenspan and the Fed seem to think prudent. Robert Eisner, a former president of the American Economic Association, made the same point in the March 31 *New York Times*:

"In Japan, unemployment was long about 2 percent and even now, in a recession, is in the 3 percent range. Where is its accelerating inflation?"...

The police in Howard County, Virginia, may have been too enthusiastic in their investigation of the county's massage parlors. The state's attorney has had to drop the prosecution of what *The Washington Post* describes as "two massage technicians." It seems the arresting officers had permitted themselves to be masturbated by the technicians, an evidence-gathering technique that is not favorably regarded by the courts....

That government will miraculously become better if its functions are transferred from federal to state and local officials is one article of conservative—and some liberal—faith. That this proposition is open to question is suggested by three clippings from *The Milwaukee Journal Sentinel* provided by a reader in Wisconsin. One tells how an official of the city of Greenfield ordered a product called Ice Melt from a vendor in Florida at a price of $6.50 a pound. Across the street from the City Hall, the Pick 'n Save Store offered Ice Melt at 17.5 cents a pound, 1/37 the cost of the Florida product. Around the same time, a Wisconsin county sheriff was spending $7,883 on stationary that could have been bought for a third of that price if the sheriff had not wanted it trimmed with gold foil. Finally, a professor of law at the University of Wisconsin described what has been done to the state's consumer protection laws:

"Over the past few years we have seen a tripartite assault on consumer rights: elimination of key parts of our consumer protection laws; evisceration of the state's ability to enforce those laws that remain; and limitation on the rights of consumers to receive just compensation even if they manage to prevail in court when their rights are violated."

The reason many lobbyists favor devolution is that they know they have a better chance evading regulations at the state and local levels. Here's a headline in the April 7 issue of *The New York Times*: "Many States Give Polluting Firms New Protections." And that headline was not just about Wisconsin but a total of *18* states....

Speaking of indecent behavior, the Republican National Committee seems to have a lot in common with the Howard County police. A recent lawsuit alleges that "the RNC maintains a workplace wherein ... [RNC officials] engage in daily use of lewd, obscene and profane language," and one high level RNC official "on a nearly daily basis, expected to receive and demanded from certain of the RNC's female employees, whom he supervised, hugs, back rubs, that he be permitted to fondle them, and that they sit on his lap." The plaintiff's allegations are denied by the RNC but supported by affidavits from two other former RNC employees, one of whom is now working as a fundraiser for Bob Dole. She says, "It was not unusual during my tenure ... to observe, hear and indeed participate in a great many conversations and activities that would appear to be totally inappropriate, politically incorrect, and bordering on bigoted."

In this connection, the suit alleges that staffers do frequent impersonations of "fags" and that one Jewish employee was constantly referred to as a "whiny Jew boy."

And the GOP's defense against the "lewd and obscene" charge appears not to have been helped by this recent news from the Associated Press: "A video produced for the Republican National Committee's 1995 Christmas party ... portrays a man sitting in a chair and apparently receiving sexual favors from a woman under a table."...

Some state medical boards are 10 times more likely than others to take disciplinary action against physicians, according to a recent report by the Federation of State Medical Boards. Does this not cause you to suspect that some boards are less

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

vigilant than others? Certainly, the national average of only 5.8 physicians sanctioned for every thousand practicing does not inspire confidence. "Often [the state medical boards] are protecting doctors from being disciplined," Dr. Sidney Wolfe, director of Public Citizen's Research Group, told the Associated Press. "There are a small number that are actually protecting patients from the doctors."...

Since it seems likely that same-sex marriage will soon become legal in Hawaii, conservative groups are pushing to get state legislators to enact laws that would prevent recognition in their states of the Hawaii same-sex marriages. Four states have passed such laws. I don't see how anyone who is truly concerned about values, and who knows anything about the reality of gay life, could possibly support this kind of legislation. The main downside of the male homosexual life style is what is sometimes called the Turkish Bath Syndrome. It is the gay version of traditional male promiscuity, and it is a central factor in the spread of AIDS. Same-sex marriages would surely reduce the incidence of that terrible affliction and it could also have the same socially stabilizing effect on gay men that matrimony has on the straight. So why on earth would thoughtful conservatives even consider opposing it?...

Speaking of medical care, if you're part of an HMO, you should take a look at the fine print in your contract. Abigail Trafford, the editor of *The Washington Post*'s weekly Health section, recently read her daughter's HMO contract and found that her doctor could be fired if he had "on behalf of or in communications with ... patients, physicians or other providers, take[n] any action or ma[de] any communication which undermines or could undermine the confidence of Members, potential Members, their employers ... or the public in the health [plan] or on the quality of care provided to [plan] Members."

Dr. Michael J. Haugh of Tulsa,

Roman Genn

Oklahoma, found out what this provision meant after he recommended a magnetic resonance arterioscope to a young female patient with a brain abnormality. He wrote his patient that he considered this procedure less risky than the one favored by the HMO. The HMO's Medical Director proceeded to write Dr. Haugh: "I consider your letter to the member to be significantly inflammatory" and advised him that such behavior "may place your relationship with [the HMO] in jeopardy."

The Patient Protection Act under consideration in California would deal with this problem by stopping HMOs from firing doctors who speak out against policies they feel endanger patients. The bill would also, according to a report by Steve Sakson of Associated Press, "ban HMOs from paying doctors bonuses for withholding treatments."...

A hopeful sign for the future is a report by *The Washington Post* that senior citizens are volunteering to help out in public schools in increasing numbers. This could be good for the students, who can benefit from the wisdom of their elders, and for the seniors, who, reports the *Post*, "get a lot of hugs and kisses and satisfaction from kids who aren't afraid to show their feelings."

There is also great potential financial benefit for the public schools. There have been some dismaying signs, such as California's Proposition 13, that old folks don't want to pay taxes to support schools after their children are grown. If they get involved in the school through volunteering, they are likely to feel not only more interested but also more responsible. That could be very good for the future of public education....

If the members of Congress who are retiring at the end of this year attain their normal life expectancy, 29 will receive more than $1 million in pension payments from the taxpayers. Senator J. Bennett Johnson will get $2.3 million and Representative Toby Roth will get only slightly less at $2.14 million. The champions will be Senator William Cohen at $3.4 million and Rep. Pat Schroeder, who should be helped by feminine longevity to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

amass a grand total of $4.2 million....

Another hopeful sign reported by the *Post* is the story of Mary Wolfe, who gave up a six-figure salary as a producer for NBC News to help low-income children learn about computers at Martha's Table, a local organization that runs feeding and other programs for the poor and pays her $31,000 a year.

"It's hard to put into words what this experience is like," Wolfe told the *Post*. "Of all the stories I have done over the years, and you have eight to 10 million people watching, and you hope it makes a difference ... there is nothing to compare to when one of the kids hugs you and you know they *mean* it. It's from another world."

So we have another story about the power of kids' hugs—and about the satisfaction of doing work that means something, that you know is helping others. The *Post* says Mary's story, like that of the senior citizens volunteering to work in the public schools, represents a trend: "Gulping hard at the financial toll, a small but growing cadre of fast-trackers is opting out, deciding to do good rather than to do well."

I pray that the *Post* is right. But as an editor of a magazine that in 1979 ran a cover story predicting the dawn of a New Idealism only to see the dawn of a decade of greed, I'm wary....

Last month, I discussed the kind of journalism the *Monthly* believes in. This month I would like to talk about it some more, using the reporting of baseball as a case study.

The first thing you want to know when you read about a game is who won and by how much. Then you want to know how the runs were scored. Sometimes today's journalists omit or take too long getting to essential facts as they dwell on the atmosphere in the clubhouse and who was kicking lockers or yelling at the bat boy. The next thing you want is evaluation of the key players and an explanation of why events transpired as they did. How good, for example, was the pitcher's control? Was his fast ball really smoking? Why did Mueller stay at second on Lockman's hit to right field? It helps to understand that it was because the right fielder has a rifle arm and would almost certainly have thrown out a relatively slow Mueller if he had tried to go to third. It helps even more to learn the manager had made a smart move by putting a player with a good arm into right field the inning before.

We believe in the kind of journalism that aspires to report all these things—and more. We want to know how the team can be improved and what its weaknesses are. What players need to be replaced and why? What other players should the team try to trade for? Is the manager shrewd enough? Are his strategy and tactics sound? Is the owner willing to pay enough to get the right new players? Or is he, like the late Branch Ricky, smart enough to get the best players even though he doesn't have a fat wallet? In other words, what are all the ingredients needed to produce the best team?

This is the kind of reporting any thoughtful sports fan wants to see. Why shouldn't the thoughtful citizen want the same kind of reporting about government? Howell Raines says this magazine is wrong to care about outcomes. He's the one who is wrong. Caring about having the best government, just like caring about having the best team, will produce the best kind of journalism....

—*Charles Peters*

Second Coming
The New Christian Right in Virginia Politics
Mark J. Rozell and Clyde Wilcox

"An essential work for anyone who wants to understand not just the Religious Right, but politics in the United States in the 1990's and beyond."
—Ron Rapoport
College of William & Mary

"Rozell and Wilcox have done an outstanding job in explaining the Christian Right: who they are; what they want; and why they'll be around for a long, long time."
—Richard N. Bond
former chairman, Republican National Committee

"A fascinating and highly readable case study of the movement on its own turf that reveals its origins, present power, and future prospects."
—John C. Green
University of Akron

$32.95 hardcover
Available at bookstores or from
The Johns Hopkins University Press
Hampden Station, Baltimore, MD 21211
1-800-537-5487
http://jhupress.jhu.edu/home.html

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Rush's Medicine Show

The dubious world of Limbaugh's advertisers

BY MICHAEL CROWLEY

"Folks," confides Rush Limbaugh, pausing for a moment from his trashing of all things liberal, "lemme tell you about something that really works...."

You lean toward the radio. What brilliant political strategy is the conservative mastermind about to reveal? None, actually. "Rid your home of harmful airborne pollutants," Limbaugh urges, going on to recite testimony from satisfied owners of something called an "electrostatic air filter." "I couldn't believe the difference ... our nose problems disappeared within two days!"

Limbaugh makes these personal pitches for products every day in his three-hour broadcast, following the practice of such radio giants as Paul Harvey. But Rush adds something special to this tradition. The man who regularly twists facts in his political commentary has similarly low standards for the products he and his sponsors peddle to faithful "dittoheads." $30 million in annual ad revenue is at stake, and so it's not hard to understand why Limbaugh would look the other way as his listeners get duped. But you have to wonder about the causes Limbaugh backs with his considerable clout and powers of persuasion.

"If you're going bald, you may think it's because your father's going bald, too," intones an announcer during another commercial break. *Au contraire*. You just need Natural Hair, an "herbal shampoo and scalp cleanser" to release "the hair that's trapped under your scalp."

Natural Hair, which charges $164 for a three-month supply (and which comes with instructions suggesting that users hang themselves upside down for a few minutes each day), is one of a slew of oddball health products that have accounted for millions in advertising on Limbaugh's show. Like many of these products, Natural Hair is largely unregulated and has been proven neither effective nor safe.

While some Limbaugh products may offer limited benefits, their appeal is often based on false impressions about their wide-ranging potential effects. Melatonex, a leading brand of melatonin capsules, runs frequent spots on Limbaugh's program. Melatonin is a hormone billed by health-food groupies as a "magic bullet" capable of battling cancer, slowing the aging process, and boosting sexual potency.

Michael Crowley is a reporter-researcher at The New Republic.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

While there has been some anecdotal substantiation of melatonin's insomnia-fighting claim, real scientific evidence is sketchy. Like other "natural remedies" of its kind, Melatonex is not closely regulated by the Food and Drug Administration. Last year the National Nutritional Foods Association implored retailers to "seriously consider the propriety" of selling melatonin, and Great Britain has halted sale of the product.

Regular listeners of "The Rush Limbaugh Show" will also be familiar with Ginsana, a brand of pills made from the Asian root ginseng and marketed by the Hawaiian health-product company Sunsource. Believers in herbal remedies have credited ginseng with all sorts of powers, ranging from fighting depression and diabetes to slowing the aging process. Among many aging baby-boomers, it is an article of faith that ginseng boosts virility—a belief that has considerably enhanced sales.

Ginsana doesn't make this claim explicitly. But it does seem to give it a knowing wink, boasting in ads that the root has been "shown to help build energy and endurance." Unfortunately for those of us hoping to enjoy a century of sexual prowess, the scant scientific research on ginseng has shown that the only thing it has the potential to increase is blood pressure. Sunsource, which has also used Limbaugh's show to promote Rejuvenex, a face cream that supposedly counters the cosmetic effects of aging on women, refuses to discuss the "science" behind its wares.

Of course, Rush isn't doing anything illegal by carrying these ads. Thanks to lobbying by health-food stores over the 1994 Dietary Supplement and Health Education Act, the FDA can require only "reasonable assurance" that herbal remedies don't "present a significant or unreasonable risk of illness or injury." Unfortunately, a recent congressional study found that most consumers assume—wrongly—that any pills they find on a store shelf are FDA approved.

Herbal remedies, now a booming $1.5 billion industry, probably ought to be more closely regulated. But from the sheer bulk of ads Limbaugh carries, he doesn't seem to care. And he doesn't just stand by idly as the ads run; often he provides enthusiastic, personal endorsements. The makers of a product called BreathAsure—parsley seed and sunflower oil capsules that supposedly neutralize bad breath—are thankful for such enthusiasm. The company was founded on a shoestring and is now worth millions. But that might not have been possible without Limbaugh, since dental experts have challenged the legitimacy of the product and major retailers have refused to carry the pills. Like other health remedies advertised on the Limbaugh show, BreathAsure relies heavily on an 800 number to sell its merchandise.

As an equity partner of EFM Media, which distributes the show and books its advertising, Limbaugh certainly has an incentive to be kind to advertisers. Usually he praises a product after he wins a contract. Sometimes it works the other way around. Breathe Right nasal strips, those band-aid-like strips players use to widen their nostrils for faster in-take of oxygen, received an unpaid and unsolicited 15 minute celebration of the strips' joys from Limbaugh. He said they had made his wife happy by silencing his snoring in bed.

Shortly thereafter—surprise!—Breathe Right became a sponsor. Since the FDA has only approved the strips as a way to expand the nostrils and increase air flow, Rush has had to mute his snoring claim. Nevertheless, Limbaugh ends his Breathe Right pitch with the kicker "Hear the difference!"

Limbaugh has been known to exercise discretion over which ads run—which means he can't argue that he accepts all comers and thus claim innocence if his listeners are getting snookered. Last year his show rejected an offer for a $1 million ad campaign to promote Gennifer Flowers' tawdry kiss-and-tell book. And when Congress was considering the GATT treaty in 1994, Limbaugh turned down almost $250,000 in spots attacking the legislation.

Rush "is not going to endorse a product that he doesn't know about and approve of," the show's ad executive says. But on the whole, his standards are pretty low. And since snake-oil peddlers depend on winning over gullible consumers, it's no wonder these advertisers target an audience that actually believes Rush when he calls himself the "truth-detector." □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tidbits & Outrages

MR. BUTTS WOULD BE PROUD

After meeting with the Vietnamese Ambassador-designate at a dinner given by the R.J. Reynolds company, Jesse Helms said he was impressed with the ambassador's countrymen. "I was with some Vietnamese recently," *The New York Times* quoted the senator as saying, "and some of them were smoking two cigarettes at the same time. That's the kind of customers we need!" Helms is trying to secure a deal for RJR to build a cigarette factory in Da Nang.

MR. BUTTS SAYS, "YES, OF COURSE. YOU'LL QUIT. *JUST LIKE US.*"

The ambassador, Le Van Bang, was just as enthusiastic. "You know," he said in a speech to Helms and a group of businessmen, "in Vietnam we have a custom of greeting each other by offering a cigarette ... We'll smoke for 10 more years, until we are a more developed country. Then we'll quit, just like you."

WORKER ROMPS, GETS WORKER'S COMP

The Daily Oklahoman reported that the state Supreme Court upheld a trucker's claim to worker's compensation even though "he was engaged in sexual intercourse when he drove his truck into a train path."

THIS FALL: *HOW TO TUNNEL YOUR WAY OUT OF PRISON*

Peter Lund, the publisher accused of aiding a murder with his book *Hit Man: A Technical Manual for Contractors*, has also published *Breath of the Dragon: Homebuilt Flamethrowers*, *Counterfeit ID Made Easy*, and *Be Your Own Undertaker: How to Dispose of a Dead Body.*

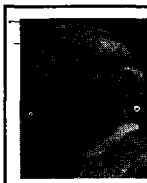
THIS MONTH'S "MOST LIBERATED MAN" AWARD GOES TO...

Charlie Sheen explained his separation from model Donna Peele on "Entertainment Tonight": "You buy a bad car, it breaks down, what are you gonna do?"

AND THE RUNNER-UP IS...

Luciano Pavarotti recently declared his love for a 26-year-old employee, saying "Nicoletta and I are very happy ... She is my favorite of my harem."

NATIONAL REVIEW'S EUROPEAN VACATION



We cordially invite you to join . . .
WILLIAM F. BUCKLEY, JR.
and some distinguished friends on a very special study cruise to the Capitals of Europe
June 3-16, 1996
ROME TO COPENHAGEN -- Holland America's *ms Maasdam*
JOINING MR. BUCKLEY WILL INCLUDE THE FOLLOWING FACULTY:

WILLIAM E. COLBY, former director of the CIA
DR. VLADIMIR SAKHAROV, high level KGB defector and author of *HighTreason*, which details his life in the KGB. He predicted Gorbachev's "Perestroika" and the ascendancy of Yeltsin.
ROBERT STOVALL, of Stovall/Twenty-First Advisors, Inc. and a frequent financial guest on "Wall Street Week with Louis Rukeyser," CNBC and *Financial World* magazine.

You will spend 13-nights cruising to exciting cities including--Rome, Amsterdam, Le Havre/Paris, Tilbury/London, Normandy Beaches, Brussels, Lisbon, English Channel, Oslo and Copenhagen.

Enjoy formal presentations, panels, Question & Answer sessions, a cocktail party and other events and entertainment. Your study cruise will be unlike anything you have done before.

Continuing Education, INC
UNIVERSITY AT SEA

For your invitation package, call us at
1-800-926-3775

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

An F.O.B. and the Mob

The Laborers' Arthur Coia has built himself into a Washington power player. But his union still needs cleaning up

BY JOHN E. MULLIGAN AND DEAN STARKMAN

With droopy eyes and an engaging, boyish smile, Arthur A. Coia presents himself as the new face of American labor. Coia is the general president of the Laborer's International Union of North America, the sprawling association of toxic waste handlers, oil riggers, and tunnel diggers. An unabashed supporter of free trade and "worker-management cooperation," Coia has successfully sold himself to journalists and politicians as an avatar of reform.

Also a staunch ally and financial supporter of President Clinton, Coia was an early backer of the new leadership at the once-listless AFL-CIO. His efforts to recruit low-paid, disenfranchised workers and to raise the profile of labor in the political arena are part of a trend that many say has reenergized organized labor. Meanwhile, Coia claims decisive victories in breaking labor's longstanding and notorious partnership with organized crime.

But the odd case of Arthur Coia illustrates a less sanguine picture of unions in 1996: one of lingering corruption, mob ties, and political influence—a volatile mix. On November 4, 1994, Coia was served with a 212-page draft racketeering complaint from the Justice Department's Organized Crime and Racketeering Section. The document accused Coia of extortion, pilfering union funds, and ruthlessly crushing dissent in his union. Charging that the Laborers' International was under the mob's thumb, the Justice Department served notice of its intent to take over and throw Coia out.

But then something strange happened. The racketeering complaint was never filed. Instead, Coia hired Brendan V. Sullivan Jr.—Oliver North's Iran-Contra lawyer—plus a veteran of the Organized Crime section to fend off prosecutors. Negotiations lasted three months and involved the Criminal Division chief at Justice. The settlement, when it came, was an enormous victory for Coia. Not only did he keep his position atop the union, he also beat back reforms that would have brought real democracy to the Laborers and handed power to the rank and file.

Coia's story is one of a great failure of law enforcement, set in a rarified atmosphere of multi-million dollar campaign contributions and intimate

John E. Mulligan is the Providence Journal-Bulletin*'s Washington bureau chief. Dean Starkman is chief of the newspaper's investigative team.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

White House dinners. Federal law enforcement officials involved in the case, who wanted Coia removed but were overruled, grumble about a link between the toothless settlement and Coia's political friendship with the President. The few union members willing to speak out say they don't understand how Coia slipped through the Justice Department's net. "It's like everything [Coia] does is okay because he's a friend of Clinton," says Alex Corns, a hod carrier in Northern California.

Carl Stern, a spokesman for Attorney General Janet Reno, says any such suggestion is "moronic." But whatever the case, the membership is further from taking control of their union today than a year ago, and deep corruption persists. Bizarrely, Reno echoes Coia's boast that the agreement is a model for future racket-busting, part of a trend toward self-regulation. In reality, prosecutors have farmed out the task of mob-busting to a union boss they once charged as a racketeer.

Son of the Union

Arthur Coia's father, Arthur Ettore Coia, was the general secretary-treasurer of the Laborers' International, which represents 750,000 unskilled workers in dozens of fields. Almost single-handedly, he molded the union into a political force that still holds Providence city hall in its grip. The union doled out pensions to City Council members and hired Providence political figures and their relatives. The old man had the ear of Rhode Island governors and the late House Speaker Thomas P. "Tip" O'Neill Jr.

Coia's father also had other, sinister contacts. He had a relationship—casual, he insisted—with the legendary boss of New England organized crime, Raymond L.S. Patriarca, that dated to their youth in the 1930s. FBI wiretaps, planted in the early 1960s, crackled with the sound of Patriarca meddling in everything from Laborers elections to decisions on who got kickbacks on union coffee machines. "Hit them, break legs to get things your way," Patriarca was overheard saying.

According to Ronald M. Fino, a Laborers executive turned government informant, the elder Coia reported regularly to mobsters around the country: the Chicago Syndicate, the Todaro family of Buffalo, and the Gambino and Genovese families of New York. Fino says Coia's father also confided that he took kickbacks and bribes, and used training funds as open-ended expense accounts.

The younger Coia followed his father into the union and, by his mid twenties, was the chief of the Rhode Island Laborers. In 1981, Coia, his father, and Patriarca were indicted for racketeering and taking bribes from an insurance swindler who had been the younger Coia's law client. The case never went to a jury because a judge ruled that the statute of limitations had expired. In 1986, the Coias and their unión received more unwanted attention when the President's Commission on Organized Crime weighed in with a 393-page report on labor rackets that called the Laborers one of the nation's "Bad Four," the worst of the worst corrupt unions, alongside the Teamsters, Hotel Workers, and Longshoremen. The commission, made up of federal judges and former U.S. attorneys, decried the looting of benefit plans, death threats, and murders of opposing candidates.

The mob's grip on the Laborers was particularly ironclad because the union has such broad authority over its workers. If you want work as a Laborer—say, cleaning toxic-waste—you don't go to an employer. You go to the union "hiring hall." Local officers there decide who works and who doesn't, so complaining about mob influence gets you blackballed. Real troublemakers might draw beatings, or worse. And workers never even see the complicated kickback schemes, real estate frauds, and other misuse of their dues. Such investments are made by union leaders, beholden not to the rank and file but to bosses whose chain of command runs straight to the general president's office and, from there, to the mob.

In 1989, Coia sought to replace his ailing father as general secretary-treasurer. When he flew to Chicago to a lobby union a vice president, John Serpico, Coia says Serpico greeted him warmly at O'Hare, then steered him into an airport coffee shop to meet Vincent Solano, a *capo regime* in the Chicago Mafia. In a scene out of *The Godfather*, Solano bestowed on him the Mafia's blessing for the No. 2 job. But Coia was warned not to try for the general presidency, a job reserved for Serpico.

Coia described this scene in testimony before a closed union disciplinary hearing last May. Serpico's lawyer, Matthias A. Lydon of Chicago, hotly disputes Coia's account. True or not, the story belies Coia's public denials of mob influence in the Laborers.

As Coia leapfrogged through the ranks of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Laborers, he built an interlocking network of interests that blurred the line between his profit-making businesses and his union duties. He started a law firm that for years has billed Rhode Island Laborers' trust funds. He formed a real estate partnership with a top city official and a prominent local contractor, and became the landlord for some of his own union's offices and the contractor's headquarters. This has been illegal since 1947, when the Taft-Hartley Act barred union officials from accepting outside payments from anyone employing workers from the union. And just before the Justice Department came calling in the fall of 1994, a Laborers legal fund bought a souring real estate investment from Coia's partnership—for $2.3 million.

The outside income has augmented Coia's union salary, $218,959 in 1994. He owns homes on Rhode Island's Narragansett Bay and in Delray Beach, Florida. Last year, he pulled up to a Providence nightclub in a fire-engine red Ferrari, a make of automobile for which he confesses a particular weakness. Coia and his wife Joanne also have engaged in the costly hobby of championship dog breeding. At one point, Coia tried to mate his stud dog with a bitch owned by Raymond J. "Junior" Patriarca, then underboss of the New England mob. The coupling failed to produce puppies.

In 1993, Coia completed his rise to the general presidency of the Laborers' International. He set right to work on a campaign for legitimacy. He revved up the union's pitiful public relations operation. He embraced progressive causes, including the Clintons' health-care reform effort. And he opened the Laborers' checkbook. The union ranked sixth in "soft money" donations to the Democratic Party in 1994 and political action committees under Coia's control have given more than two million dollars to congressional candidates—mostly Democrats—for 1994 and 1996. Coia has attended several affairs with the President and First Lady. With Robert Strauss, Vernon Jordan, Dwayne Andreas, and Ronald Perelman, Coia co-chaired a 1994 Democratic fundraiser that raised $3.5 million.

By the end of that year, Coia could secure an audience with the President in the Oval Office. "We aren't being paid attention to," Coia says he told Clinton, complaining that his union had been bypassed for federal grants and contracts. According to Coia, the President told him to take such problems to Deputy Chief of Staff Harold Ickes, who sat nearby. Clinton also produced a Calloway "Divine Nine" golf club and presented it to the union boss as a gesture of friendship. Coia soon returned the favor with a custom-made driver crafted by a Rhode Island artisan and decorated with the presidential seal and Bill Clinton's signature. "Thanks for the gorgeous driver," read Clinton's thank-you note. "It's a work of art!"

Coia, who lives a life beyond the fantasies of the union's chicken-pluckers and auto part assemblers, nevertheless presents himself as a champion of the ordinary worker. He took out an ad on the op-ed page of *The New York Times* to denounce Pat Buchanan and tout "a vision to restore the American standard of living." In a campaign that echoes John J. Sweeney's plan for the AFL-CIO, Coia launched a widely publicized, $5 million organizing drive to rally low-wage workers such as poor schoolbus drivers and catfish farm workers.

The labor community applauded. "He's trying to turn his union around," says Barbara Easterling of the Communications Workers of America. "Now the talk is of a different face of the Laborers." Coia has also drawn praise for his work to rid his union of mob corruption. He has "done a hell of a job trying to clean up his own union," says Gerald W. McEntee, president of the 1.3 million-member American Federation of State, County, and Municipal Employees.

But some things at the Laborers haven't changed. In 1994, according to the government's draft racketeering complaint, Coia conspired with organized crime elements to drain pension funds from locals in upstate New York. As part of the scheme, he tried to force Local Union 435 in Rochester, New York, into a new regional organization whose top two officers were mob associates, according to the government. Coia denies the allegation and says he was only trying to streamline the bureaucracy. A federal judge voided Coia's takeover. But around the country, would-be dissidents got the message.

Just as Coia was reaching the pinnacle of his power, the Laborers was hitting bottom. Locals in Chicago, Cleveland, and Buffalo were all under Mafia rule. Strong-armed union bosses ruled out West, as well. But nowhere was it worse than at the Greater New York Mason Tenders District Council, a Laborers affiliate representing about 6,000 asbestos workers, brickhaulers, and com-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

mon laborers in a dozen locals. There, the mob ruled openly, brutally, and brazenly. The president of one Laborers local was a Genovese capo. The president of another was a Luchese soldier. A DeCavalcante acting boss was the business manager of a third. Union officers took kickbacks with their morning coffee. Builders who wanted to use cheap, non-union labor could be guaranteed that union leaders—elected to protect the interests of workers—would look the other way in return for a payoff. Professional groups—often with links to the mob—would grossly overcharge union medical, pension, and legal funds. This all happened on Coia's watch. He and the rest of the international's general executive board, who have a fiduciary duty to protect members from such abuses, kept themselves transcendentally ignorant about the open looting of the New York Laborers. In 1989, after an official of Queens Local 46 was convicted of racketeering, Coia and two other top international executives assured the Labor Department in writing that "honest and effective representation is finally being provided." While there is no evidence that Coia knew the mob was still in control, sworn statements and government wiretaps later showed that the new local president was hand-picked by the Luchese family.

Unlike with the Teamsters, there is no judicial oversight of reform at the Laborers. "To make an agreement like this work you have to have the muscle," says a federal official. "We don't have the muscle."

The open corruption at the Mason Tenders drew the attention of federal prosecutors. In 1989 and 1990, the Justice Department won a string of very public cases that smashed the mob's grip on the Laborers' unit. Trial evidence showed the direct involvement of mobsters such as Gambino family don John Gotti. In 1993, the president of the New York Laborers pleaded guilty to one of the largest cases of real estate fraud in U.S. labor history. Corrupt union leaders had used union funds to buy run-down property for far more than its value, a good way to funnel cash to mobsters but devastating to the pension funds of the rank and file.

Eventually, prosecutors announced plans to take over the entire New York affiliate. The lead prosecutor, Alan N. Taffet, repeatedly demanded to know "whether and when" Coia would move to end the "systematic corruption" in New York, according to court documents. Even in the face of overwhelming evidence of the union's subjugation to the mob, a judge ruled, Coia failed to act.

By this point, a separate investigation was lining up a new target: Coia himself. On November 4, 1994—the same day President Clinton dashed off a note thanking Coia for his golf club—the Justice Department delivered the 212-page draft racketeering complaint to the union with allegations, among other charges, of Coia's longstanding collusion with the Mafia.

The document also contained a new charge: that Coia's takeover of the Rochester local had been part of a conspiracy with the Todaro organized crime family of Buffalo to drain benefit funds. The government was planning to ask the court for its silver bullet: a full-scale takeover by a federal judge.

That's what happened in 1989, when the government kicked in the doors of the notoriously corrupt International Brotherhood of Teamsters. In that case, prosecutors won a sweeping mandate and imposed a trusteeship answerable to a federal judge. The takeover caused nothing less than a revolution. It spurred the first free elections in Teamsters' history, sweeping into power Ron Carey, a reformer who promptly sold off the union's Lear Jets and limousines, cut staff salaries, including his own, and slashed bureaucracy. Carey may be no angel, but he represents a genuine grassroots insurgency made possible by the United States government. Local elections are free and fair. Members have real power to throw Carey out.

Prosecutors wanted to effect the same sweeping changes at the Laborers. But Coia had something else in mind. He fought back, hiring the powerhouse law firm of Williams & Connelly and, as his personal lawyer, Brendan Sullivan, famous for his performance at the Iran-Contra hearings. Coia also hired Robert D. Luskin, formerly of the Justice Department's Organized Crime Section, to negotiate with Justice. The lawyers staunchly refused even to consider Coia's resignation and promised

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

a scorched-earth fight if the government tried to take over.

Word of the investigation reached the White House, which canceled the speech that Hillary Clinton had planned to give at a union conference in Florida on Feb. 6, 1995. But Coia argued strenuously to have the speech put back on the schedule, reminding the White House of his past political help, according to the union. Mrs. Clinton kept the engagement. Deputy Chief of Staff Ickes advised the First Lady to avoid private meetings or conversations with Coia because the White House considered Coia "currently under investigation." Meanwhile, negotiations between the Laborers and Justice continued. A week after Mrs. Clinton's appearance there was a deal. The two sides signed a document about a page-and-a-half in length that essentially asked Coia to clean up the Laborers' act—on his own terms. Coia responded by hiring his own "reform team," a group to work inside the Laborers to root out corruption.

Why is this man smiling? Arthur Coia in his Washington, D.C. office.

Whatever the government's intentions, the agreement has actually consolidated Coia's position within the union and deflected open scrutiny of his past. But this should come as no surprise. The agreement put Coia and his old board in firm control of the reform campaign, including the power to hire and fire the reform team's members. There is no judicial oversight. "To make an agreement like this work you have to have the muscle," says a federal law enforcement official. "We don't have the muscle." And "muscle," this source explains, is a federal judge enforcing the terms of the cleanup.

Some law enforcement officials suspect the worst: that somehow Coia's political influence was brought to bear at Justice. "I'm sure it happened," says one such official. "I just don't think we'll ever find out who made the call." The agreement of Feb. 13, 1995, opened a split between federal agents and prosecutors in the field and their Justice Department overseers in Washington. The rift has widened in the year since. "I don't think anybody is happy with the way things have progressed," says the official. "It hasn't been a pretty picture."

Coia and his PR shop have loudly trumpeted the reform program and the glittering array of former federal prosecutors and FBI agents now on the Laborers' payroll. Coia designated Luskin to head up the campaign. In other words, the same man who had won the sweetheart deal for the Laborers in the first place would be in charge of rooting out corruption.

Prosecutors' only leverage is the threat of a government takeover, but since this move was rejected in the recent negotiations, the threat doesn't carry much weight. Luskin is defensive about being perceived as Coia's ally. "I'm not Arthur Coia's attorney," he snapped to the *Buffalo News* in February. But he is being rewarded handsomely. He confirms that he's billed the union at least $500,000 so far. Asked if his billings have topped $1 million, he says, "I don't know." Coia and the union also hired W. Douglas Gow, a former FBI agent, as the union's new inspector general. Gow declines to say how much he is paid and referred questions about the cost of the cleanup to the union's PR operation, which did not return telephone calls. So far, the disciplinary team has forced the resignations of 27 mob-linked union members; six trusteeships have been imposed on wayward locals and four tainted local elections were overturned.

The awkwardness of the arrangement, though, was illustrated in the case of Cruz Gutierrez, a 52-year-old foreman in Local 261 in San Francisco and an outspoken critic of local bosses. He took a blackballing complaint to Gow last year, and soon received a menacing phone call from from a local boss. "I want to thank you for jeopardizing the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lives of my family and myself," Gutierrez wrote to Gow. For his part, Gow says he made a mistake and has not repeated it. He also says he has "100 percent autonomy" in pursuing corruption, and that he has been effective.

But the old guard still rules. Gene Johnson, a Laborers officer from central Illinois for 35 years, says that since the February 1995 agreement, the international has tried to force the merger of his district organization into another controlled by a Coia ally. Johnson says he has resisted—and been threatened and harassed for his trouble. He also says that during a May 1995 meeting, Coia promised to "take care of" two of Johnson's sons on the union payroll and enhance Johnson's union pension in return for his cooperation. Johnson refused.

With Coia under investigation, the White House moved to cancel Mrs. Clinton's speech at a Laborers' conference. But Coia argued strenuously to have the speech put back on the schedule—and he won.

Johnson says that at that same meeting, Coia learned that Gow and his agents had cleared Johnson of a misconduct complaint brought by a rival. Coia got angry at Gow and his agents, according to Johnson. "These sons of bitches are supposed to do as I tell them," Coia said, according to Johnson. Says Johnson: "I think the mob has better control of this union than it has in the 35 years I've been here." By presstime, Coia and the union had not responded to repeated telephone calls and a letter detailing Johnson's charges.

Some law enforcement officials, who ask for anonymity, describe the Laborers' cleanup effort as an elaborate and artfully crafted charade. They say its main result has been to strengthen Coia's hand and purge his rivals, noting that cases that have veered toward Coia have all folded like $3 suitcases. When Samuel J. Caivano was bounced from the union's executive board, he sued and charged that Coia was the true mob associate and should be the target of any reform effort. A federal judge in Washington, Emmet G. Sullivan, was puzzled too. During a hearing in April, 1995 he remarked: "A deal was cut; obviously something happened with regard to Coia. A deal was cut. Why wasn't Coia removed?" The case was settled—on financial terms favorable to Caivano—before the question could be answered. And last May in Chicago, minutes before a lawyer for Serpico, another suspended vice-president, was to cross-examine Coia under oath, Luskin asked for a recess and settled that case.

The bottom line is that the government is on the outside looking in. "We're always on them to do more, and they're always resisting our attempt to tell them what to do," says Craig Oswald, an assistant U.S. attorney in Chicago and a key player in negotiations with the Laborers. For instance, prosecutors had hoped for real election reform. But Coia failed to produce. Prosecutors were so unhappy that, months after the original agreement, they recommended to Washington that the government take over the Laborers after all. But instructions came back to compromise again. So Coia got another nice deal: watered-down democracy that all but guarantees his reign into the next century. That's because only the union's top two officers are subject to direct elections. The rest of the executive board will continue to be selected under the old rules that allowed a half-century of mob dominance. "Token democracy," Chris White, a bus driver from Fairbanks, Alabama, called the plan. White plans a symbolic "Dump Coia" campaign this year. But he doesn't stand a chance. Coia will have a hefty war chest to finance a national campaign. More importantly, he commands the loyalty of hundreds of local and regional officials. Dissidents say their only chance to gain any power is to pick off regions one at a time through direct elections of the executive board. But that won't happen for at least five years.

In an interview in his eighth-floor executive suite, Coia is a paradox. Dressed in a dark, chalk-striped shirt with French cuffs and sipping Evian water, he slips regularly into Providence street-talk. His position on reform at Laborers is also a paradox. First, he denies that there's much of a problem—only negligible "pockets of corruption," he says. Then he insists on getting the credit for the cleanup. "This is my process, my suggestion, my development, and my implementation of it," he says, growing animated. "Mine." □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A Bad IDEA

How the nation's special education law is hurting our schools—and why Congress won't touch it

BY DANTE CHINNI

New York's Mahopac Central School District will spend roughly $3.2 million on the transportation of its 4,400 students this year, an average of $727 per child. But about $68,000 of that will be spent on the transportation of just one child—a child whose classroom is nearly 400 miles away at the New York State School for the Blind in Batavia. Every week he is driven to White Plains so he can catch a plane to Rochester, where a car takes him to school. And, thanks to the nation's special education law—the Individuals with Disabilities Education Act (IDEA)—Mahopac must pick up the bulk of the tab for the boy's weekly round-trip and schooling.

The IDEA was created in 1975 to help level the education playing field for disabled children, many of whom were receiving little or no education in out-of-the-way, makeshift classrooms. But since then, the law has gone far beyond its goal of ensuring adequate schooling by providing some kids with extravagantly expensive instruction. The law puts no limit on the cost of special education, and then leaves school districts to pay the bills.

In Mahopac, the IDEA will force the district to spend $98,000 on the education and transportation of that one child this year, although Mahopac school officials believe the child could get an appropriate education at a nearby regional school for $60,000 less. And Mahopac's story is not an anomaly. Schools in Yorktown and Yonkers have kids on that same plane to Batavia. *The Washington Post* recently reported that three counties abutting Washington D.C. will spend nearly $50 million this year on 1,800 disabled students. One student alone has cost $500,000 so far.

In a time of shrinking resources for education, districts are meting out unconscionable amounts of money for a few children—more often than not, disabled children with affluent parents who can afford to force the system to provide the best for their kids. It's not that children with disabilities don't deserve a good education. But as some parents wrangle costly benefits for their kids, other children—those who are disabled but have parents unable or unwilling to fight the system, or those born with disadvantages such as poverty—are paying the price.

Given the Republicans' famous disdain for unfunded mandates, many school boards thought the GOP Congress would either fully fund the IDEA or ease its requirements. They were wrong. As the Republicans prepare to reauthorize the IDEA, they appear to be opting for a bold third option: Fix some of

Dante Chinni is a reporter-researcher at Newsweek.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the law's problems, but leave the most pressing one—funding—unaddressed. On this issue,Washington's revolutionaries are caught between their desire to avoid spending a dime more on domestic programs and their fear of a powerful parents' lobby. Instead, like the Democrats before them, the Republicans are content to continue offering some disabled kids the best education money can buy, and sticking districts like Mahopac with the bill.

The $60,000 Question

Like many of the legislative quagmires born in Washington, the IDEA began with the noblest of intentions. In 1975, Congress passed the law proclaiming that each child deserved a "free, appropriate" education in the "least restrictive environment." It seemed the very model of egalitarian rule. Since each disabled child has unique problems, the law said, each deserves his own educational plan tailored to his specific needs. And when skeptics questioned the law's funding, Congress quickly calmed fears with a promise that Washington would cover up to 40 percent of the IDEA's cost. The key words: "up to."

President Ford, who signed the bill only when it became clear that Congress had the numbers to override a veto, warned of the problems the IDEA would cause down the road. "Even the strongest supporters of this measure know as well as I that they are falsely raising the expectations of the groups affected by claiming authorization levels which are excessive and unrealistic." And while the words "political visionary" and "Gerald Ford" are seldom uttered in the same breath, he correctly saw the road ahead on this one. Federal funding, which has never neared 40 percent, stood at 8 percent last year and will likely stay there for the foreseeable future.

In South Portland, Maine, the public schools plan to launch a $120,000-a-year special program next year to educate four severely autistic children. Its cost for the district is substantial—the state will pay only 35 percent—but the district is creating the program to *save* money, according to South Portland's special education director, Bob Powers. Right now, the district is spending about the same amount to send the autistic kids to private schools. With the new program, if a few more autistic kids enter the district, the cost-per-pupil will drop. Saving money in special education has become a priority for South Portland: The district has seen its special education budget rise 44 percent in four years. It's now 15 percent of the total budget.

In New Jersey, meanwhile, James and Maryann Riordan are using the IDEA in a fight to keep their autistic 10-year-old son, Willie Joe, in a residential treatment program. They say it is the only place he can grow and get anything close to a real education. The problem? The placement costs about $100,000 a year—a big bill for the Hasbrouck Heights school district to cover. The district is sympathetic to the Riordans' plight but is fighting the plan because of its cost. Instead, it is proposing a special day-school for Willie Joe that it believes would give him an appropriate education and would cost "only" $121 a day. The district's plan would save the schools roughly $70,000, but the Riordans will have none of it.

It's the plight of districts like South Portland and Hasbrouck Heights that prompted two respected moderate Republican senators, Mark Hatfield of Oregon and James Jeffords of Vermont, to call attention to the IDEA's shortcomings in the last few years. Unfortunately, both found themselves quickly backpedaling. Two years ago, Jeffords devised a simple solution to the law's funding problem: split the costs equally between the feds, the state governments, and the school districts. In 1994, Jeffords's proposal passed the Senate as a non-binding resolution, 99-1. But he has since dropped the plan, thinking "maybe he should just focus on making sure the funding isn't cut" by the GOP Congress, according to one Jeffords aide.

One reason Jeffords may have changed his mind about reforming the IDEA is suggested by Hatfield's experience. Last year, Hatfield tried to address the issue of the law's requirements by sending letters to schools, professional organizations, and parents asking how to fix the IDEA. In a speech on the Senate floor he summarized the suggestions, calling for an "elimination of the disproportionate areas of funding of the law" and a "cap on the amount that can be spent on one child." He soon learned why those plans are unfeasible. "We did not hear in bulk from parents until after the speech," says one aide. But then, "Parents came all the way from Oregon to bitch us out." And back in Oregon, the parents blasted his ideas in local meetings. Not surprisingly, none of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Hatfield's proposals will be in the Senate's reauthorization bill. "It would be a blood bath," says the aide.

That parents flew across the country to chew out Hatfield is a telling detail. It takes parents with ample resources to do that, and by and large it's those same parents who have turned the IDEA into an out-of-control entitlement. This is the law's other major flaw: It gives even the children it covers wildly disparate treatment. Under the law, every disabled child in America has an Individual Education Plan, or IEP, created just for her. The plan is drawn up by the school of each child with parental help. If the parents don't like the arbiter's decision they can appeal to the courts. The result is a system that favors those with the time and money to hire lawyers and get expensive medical testing and testimony to make sure a school district lives up to its responsibility under the IDEA.

The chairman of one New York City school board says that even within the city there are large discrepancies. Some districts, he says, have a policy of easily granting "no public school available" rulings (in which the public schools pay for a student's private schooling), while others avoid them. So, theoretically, two city students with the same problem, separated by nothing more than a street, could get vastly different treatment.

One New York City school official who has sat in on days of special education meetings between schools and parents says it all comes down to money: If the parents have good insurance or the money to get a "favorable" diagnosis for their child, they come to the meeting armed for battle. They argue about what their kids deserve, present their medical information, and usually get a better deal than the district would have offered. The schools are supposed to spend the same amount of time with each family, but some parents get more time. "I was looking at the chart for the day's meetings," the New York City official says, "and asked why the slot was empty after one name. They said, 'Those parents are professors at Columbia. We gave them a double slot.'" In contrast, he notes, "Many of the poor families simply entrust their child to the system."

Even defenders of the IDEA admit this happens. "Children in the right school with the right parents will do better than children in a poor district without those things," says Kevin Dwyer, assistant executive director of the National Association of School Psychologists. Indeed. The IDEA and subsequent court decisions have made it possible for thousands of the "right parents" across the country to write all sorts of things off to their school districts—private school placements, medical treatments like catheterization, sometimes even apartments for young adults.

The IDEA invites abuse with its lack of sensible standards. It's only natural for parents to fight for everything they can get for their kids. That's why standards that delineate the appropriate treatment for a particular disability, and how high the cost of that treatment can go, are so necessary.

Of course, such rules would have the effect of "categorizing" children, creating blanket solutions to individual problems—but that is no different from the way every child in the public schools is treated. My public school did not develop individual education plans for us; it put us in classes with similar kids, taught us, tested us, and sorted us by our abilities. And if one of us wasn't doing well, the school could not throw an extra $10,000 at his education. That's not to say we shouldn't spend more on disabled children than others, but why should kids with similar disabilities get vastly different treatments?

Defenders of the IDEA say individual treatment is necessary for disabled kids because somehow standards aren't "appropriate" for children with serious problems. "We're talking about trying to level the playing field," says Kathleen Boundy of the Center for Law and Education. "We have kids here born with a disadvantage." Boundy is right: The disabled were born with a disadvantage. But is the kid born to a single mother who happens to be a crack addict in the inner city at less of a disadvantage than a child born deaf to a wealthy suburban couple? In the effort to rectify the inequities that those born disabled confront, we've ended up creating—or exacerbating—other inequities. The more resources used to sustain a few children whose parents can demand the moon for them, the less there is for kids born with other disadvantages. If we're committed to equal opportunity for all children—and that was the motivating principle behind the IDEA—we need to strike a balance between all children's needs. After all, across the river from me in the Bronx there are thousands of kids who were born at a disadvantage. Every day they walk to decaying, crime-filled schools. And no one is offering to fly them to Andover. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Blowing Smoke Rings Around the Statehouses

How the states roll over for the tobacco industry

BY MORTON MINTZ

A few years ago, Doctors Ought to Care (DOC), an anti-tobacco group in Houston, Texas, received a batch of internal Philip Morris documents from someone claiming to have found them "in a garbage can." The documents were periodic briefings prepared for senior Philip Morris executives from 1989 to 1990 by an unidentified supervisor of the company's lobbying in seven Southwestern states: Arizona, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

The primary mission of the operative, dubbed "Smoking Gun" by tobacco foes, was to prevent increases in state cigarette excise taxes. The level of taxation of tobacco products is important because it quite literally can determine whether huge numbers of people become addicted, sicken, and die. Over the 11-year period starting in 1980, Canada raised its combined federal and provincial cigarette tax drastically—from an average of 46 cents per pack to $3.27 per pack. By 1991 per capita cigarette consumption had fallen by 40 percent and teen smoking by two-thirds, after accounting for smuggling of cheaper cigarettes from the United States.

In the United States, the average of state levies on cigarettes is only 32 cents per pack. Combined with a 24-cent federal tax, our rate of cigarette taxation is the lowest among 13 Western industrialized countries. A recent survey found the highest tax, $3.88 per pack, in Denmark. Next came Norway, at $3.44 per pack, and the United Kingdom, at $3.27. Canada, after drastic cuts in federal and some provincial taxes in 1994, still ranked ninth—with combined federal and provincial taxes totaling $1.96.

For the United States to follow the example of these countries by dramatically raising cigarette taxes would be to preserve the health and save the lives of huge numbers of Americans. By the conservative estimates of independent and government economists and experts on smoking, every 25-cent increase in excise taxes, indexed to keep pace with inflation, would discourage about 1 million persons from smoking and save between 200,000 and 300,000 of them from premature death. A $2 increase—favored by majorities of voters in every region, according to a 1993 poll by Marttila & Kiley—would avert 1.9 million

Morton Mintz is a Washington writer. He has just received the Hugh M. Hefner First Amendment Award for Lifetime Achievement.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

premature deaths. Higher taxes would be especially effective in deterring young potential smokers from getting hooked. And while producing sharp declines in cigarette consumption, higher taxes would yield greater revenues that could help state and federal taxpayers bear the costs of tobacco-related diseases. These revenues could be immense: The Congressional Joint Committee on Taxation calculates that a tax increase of $1.76 would generate $86 billion in new revenues in five years.

Yet the tobacco industry has contrived to stifle not only efforts to raise cigarette excise taxes, but robust debate about the issue as well. In part, the industry has achieved this indirectly—by supporting conservatives who oppose all or nearly all new taxes. (In 1990 alone, Philip Morris gave $91,800 to Citizens for a Sound Economy, a Washington, D.C., think tank that advocates less regulation and lower taxes, as well as $40,000 to the Tax Foundation, a Washington think tank that sponsors the annual "Tax Freedom Day.") But the industry has been most successful with frontal assaults, and these have been most effective where they are least scrutinized: in the nation's statehouses.

It's at the state level that much of the real action on tobacco issues takes place—from excise taxes to anti-smoking laws to how strictly laws against selling to minors are enforced. Indeed, even on issues besides tobacco, lobbying at the state level is more intense, more blatant, and more successful, than in D.C., thanks in part to ludicrously lax campaign finance laws.

So it's not surprising that the tobacco industry has adopted the rhetoric of "states' rights" to try to protect its profits. At the 1995 Annual Conference of the National Foundation for Women Legislators, Inc., an organization with a membership of 500 sitting legislators, the Smokeless Tobacco Council sponsored a workshop called "The FDA's Assault on the Constitution and Legislative Prerogative." The purpose? To alert the legislators to proposed Food and Drug Administration rules that would regulate the sale, distribution, and promotion of tobacco products in all 50 states. A memo summarizing the workshop said that "The [Smokeless Tobacco C]ouncil pointed out that the FDA's proposal to regulate tobacco products clearly intrudes into areas that traditionally have been reserved as state legislative prerogatives.... The FDA has put at stake the accountability and credibility of state legislatures in this precedent setting rule making." And then the Council urged the women legislators to write the FDA opposing the proposed regulations "on the grounds that this is clearly a states' rights issue."

The GOP, of course, is also using the "states' rights" rubric to argue for the devolution of even more power and money to the states. Unfortunately, as the Philip Morris memos suggest, there's good reason to question the "accountability and credibility of state legislatures." The DOC memos offer a rare written chronicle of the tobacco industry's methods, but they also provide an unusually honest glimpse into how the political process too often functions in our states and localities.

States' Wrongs

In his internal Philip Morris memos, Smoking Gun was nothing if not candid:

• In Texas, where he foresaw a possible attempt to raise the excise tax, Smoking Gun bluntly equated campaign contributions with "buying," usually a no-no word for influence-peddlers: "Our new comptroller—the person to whom the governor and legislators look for the state's financial guidance—will be John Sharp. The plan is to give early and large campaign contributions, to Sharp, thereby ... at the very least buying [his] silence when it comes to locating new revenues."

But Smoking Gun was even more ambitious, noting that "our best, and, perhaps, only hope to combat a consumer excise tax increase in 1991" is "to help elect a Republican governor who is a 'no new taxes,' George Bush Jr./Will Clements kind of guy." Bush is the present and William Clements a former governor.

• As Missouri's governor, now-U.S. Senator John Ashcroft (R) had tried to raise excise taxes on cigarettes. "[Nineteen-ninety] will be another tough year in Missouri battling taxes," Smoking Gun reported. "Governor Ashcroft will continue to beat the cigarette tax drum. I mean this guy really hates us—He doesn't even dance for religious rea-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sons. This past week the President Pro Tem of the Senate cut a deal with the Governor and said he will sponsor a bill to raise cigarette taxes."

A number of unnamed Missouri legislators elicited this observation from Smoking Gun: "This group really loves to hunt. The same guys I took to the racetrack in OK [Oklahoma] last year [1989] were the very ones that helped us hold the leadership firm on no new cigarette taxes. We will be doing some racetrack trips in 1990."

• On campaign contributions to Kansas state legislators, Smoking Gun had this to say: "Last year we gave out about $11,000 ... It may not sound like much but that's the most we could give without sticking out like a sore thumb." Apparently Philip Morris didn't want its buying of legislators to be too conspicuous.

The Smokeless Tobacco Council urged women state legislators to oppose the FDA regulation of tobacco products "on the grounds that this is clearly a states' rights issue."

• And of contributions to Louisiana state legislators: "We already help sponsor a legislative dove hunt, but I think our own fishing trip would be of benefit. We give [them] so much money ... and I think that knocks out the need for an honorarium unless they requested it coupled as a trip."

State political caucuses have long been favorites of the tobacco companies, on the common-sense basis that a coalition is inevitably more powerful than its individual members. Smoking Gun boasted, "We gave money ... to every caucus that ever existed and will continue to do so."

For 1990, Philip Morris budgeted a total of $5,000 for state legislative black caucuses in Kansas, Louisiana, Missouri, and Oklahoma. In Texas, the company budgeted $5,000 for the Mexican American Caucus, $3,000 for the Texas Black Caucus, and $1,000 for the Hispanic Women's Leadership caucus. While the Texas Senate was considering a smoking-restriction bill, Smoking Gun recalled, the industry "had a hard time ... [procuring] witnesses ... No one would come to our aid except the Black Caucus members to speak out against the tax and even then we had to use personal favors for them to hold the press conference."

Philip Morris went to even greater lengths to ensure both the goodwill of and access to the states' leaders. In 1990, for example, Philip Morris gave $20,000 to the Southern Governors Association, $12,000 to the National Governors Conference, and $10,000 to the National Bureau of Economic Research. As a Full Corporate Fellow of the National Governors Association (NGA), Philip Morris contributed $84,000 over eight years to the NGA. As an Associate Corporate Fellow for three years and a Full Corporate Fellow for one year, RJR Nabisco had contributed $27,000 before withdrawing in 1995. Among the benefits of Corporate Fellowship: an invitation to the governors' annual meeting (a private dinner is included for Full Corporate Fellows) as well as private receptions and meetings with the governors during the year.

Philip Morris is, of course, just one of many tobacco interests spending megabucks at the state level. Take U.S. Tobacco, the leading producer of smokeless tobacco, which George Bush's Surgeon General, Dr. Antonia Novello, predicted will cause an "epidemic" of oral cancer two or three decades from now. In the six years between 1989 and 1994, UST and the Smokeless Tobacco Council paid a stunning $9.2 million in fees to "state legislative consultants."

And in Massachusetts in 1992 and in Colorado in 1994, referenda were held on increasing the cigarette tax by 25 cents and 50 cents, respectively. To defeat these ballot initiatives, tobacco interests reported spending a total of $4.1 million merely on Washington-area advertising, direct-mail, and polling firms. The industry spent over $5.5 million in Colorado, where it won. The increase passed in Massachusetts—but tobacco lobbyists then succeeded in getting legislators to divert $19 million in tobacco tax revenues from the state's tobacco control program.

To be fair, a few of the states' attorney generals are leading, sometimes at great political risk, court battles to reclaim health-care costs from the tobacco industry. But on the whole, tobacco lobbyists have met with remarkable success in their state-by-state lobbying efforts. It's enough to make you think twice about the Republicans' devolution solution. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Real Blood Sport: The Whitewater Scandal Machine

Critics say Whitewater is about the Clintons' effort to contain a scandal. But even more, it's about their opponents' success in creating one

BY AMY WALDMAN

In 1983, Ronald Reagan's assistant attorney general Theodore Olson and the House Judiciary Committee faced off in a dramatic exchange over the administration's handling of environmental policy. After the committee demanded documents that Olson could not, or would not, provide, the committee produced a 3,100-page report about Olson's alleged obstruction. And then it got serious: The Democrats pressured Attorney General Edwin Meese to appoint an independent counsel to investigate Olson. After six months, independent counsel Alexia Morrison found no basis on which to prosecute Olson. But with the resources and purview of the independent counsel at her disposal, she pressed on—for four more years.

Understandably desperate, in 1987, Olson and two other former Justice Department officials went to court to argue that the Ethics in Government Act, which gave independent counsels virtually unlimited power to pursue wrongdoing, was unconstitutional. A federal appeals court agreed, with a judge writing that special prosecutors feel pressure to "justify" their appointment by bringing indictments and are therefore inherently biased against the people they investigate.

But the Supreme Court reversed the decision, and the investigations continued, finally concluding in 1988. Olson was never indicted, but six years of his life, and more than $1 million of his money, had been consumed by congressional and independent counsel investigations. When Olson recently testified before Congress on the flaws in the independent counsel law, he spoke with authority.

You would think, then, that he might feel at least some sympathy for Bill Clinton, who has spent the last three years enduring similar investigations over what's collectively known as Whitewater. To the contrary. Olson is instead representing the President's chief accuser, David Hale, on matters relating to the Senate investigation of Whitewater. Olson defends his representation of Hale, who has alleged that then-Governor Clinton pressured him to make an illegal loan, with the argument that he's always been willing to represent people being investigated by independent counsels—Olson was, for example,

Research assistance by Mark Drajem, Amy Feldman, and Lisa Fine.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Ronald Reagan's attorney during the Iran-contra investigation. "[Hale] is someone who had charges brought against him in connection with the independent counsel's investigation, who has been investigated by the independent counsel," Olson says.

Saying David Hale is being "investigated" by the independent counsel, however, is a bit disingenuous. Hale has been investigated by the independent counsel only as a means to landing bigger targets, beginning with the President's former business and political associates, and ultimately, perhaps, the President himself. What seems more likely is that Olson, like many Republicans who condemned independent counsel investigations launched against Reagan and Bush administration officials and the accompanying press and congressional feeding frenzies, has found that things seem eminently more reasonable from the other side.

Once again, the "modern scandal production machine," as Suzanne Garment termed it in her book *Scandal*, has been revved up. Garment was referring to the unholy alliance of ideological interest groups, the press, congressional committees, and, sometimes, independent counsels that pursue executive branch officials and judicial nominees. What starts as a reasonable inquiry snowballs into something akin to the Salem witch trials. Initially legitimate questions about potential crimes or constitutional abuses give way to a potent alchemy of gossip upgraded to news by an eager press, an easily manipulated investigatory process, and artfully crafted political theater.

Throughout the eighties, conservatives bore the brunt of this persecutory zeal and were thus the most outspoken critics of its excesses; one of the first, and at the time only, liberals to acknowledge the existence of the "machine" was columnist Juan Williams, during Clarence Thomas's confirmation hearings. Now, of course, Williams has company: Many liberals see a conservative "machine" at work in Whitewater and are outraged by it. And conservatives, who once condemned such tactics, are using them enthusiastically.

In Whitewater, the ratio of scandalmongering to real wrongdoing is especially disproportionate: Even if, at worst, President Clinton was somehow knowingly involved in the tangle of shady, decade-old transactions that sparked the original Whitewater stories, it has no bearing on his presidency. Watergate and Iran-contra, in contrast, did involve the commission of real crimes that related directly to performance in federal office. Yet Whitewater has been draped in all the trappings of its predecessor scandals, most notably a far-reaching independent counsel investigation and congressional hearings.

The Whitewater scandal may have been initiated by the Clintons' political opponents, but it has been legitimized and perpetuated by years of front-page press coverage. In part, that resulted from the media's misguided belief that fairness requires that every scandal be treated equally. But it also sprang from journalists' lust for scandal. And so a press hungry for scoops and a capital thirsting for juicy revelations plunged in.

Perspective, then, has been missing from much of the coverage of Whitewater. And so has an awareness that the acts committed in the investigation of potential wrongdoing are a story in themselves. In his book *Blood Sport*, for example, which is subtitled "The President and His Adversaries," James Stewart skewers the former but does little to probe the machinations of the latter; the book's reviewers have followed his lead. Until very recently, the national press has glossed over, or straight out ignored, the story of the scandal machine itself—how it works, and who drives it.

Making Hale While the Sun Shines

As various charges against the Clintons are disproved or dismissed, much of the Republican effort to tar Bill Clinton hinges on David Hale, the only person to accuse Clinton directly of breaking the law. Hale is the backbone of Kenneth Starr's investigation in Little Rock, and of the trial of Jim Guy Tucker and James and Susan McDougal that is currently underway (he provided information on 17 of the 21 counts being tried). Hale will be a star witness before Senator Alfonse D'Amato's Whitewater committee. And the frequent recycling of his charges against the President is, of course, a boon to Clinton's political opponents.

So you would think that Hale would have come under vigorous scrutiny from the press since he began making his unsubstantiated allegations about Clinton in 1993, when he was under investigation by the FBI for loan fraud. Hardly: To read most of the national and Washington press coverage of Hale is to acquire the impression that first, Hale is a victim of a vengeful Arkansas establish-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ment; and second, that he is a soft-spoken Southerner who once had some trouble with the law and the truth but is now trying to "get right." In 1994, for example, *The New Yorker*'s Peter J. Boyer described Hale as a "picture of sad-eyed contrition." Yes, Boyer conceded, Hale was under federal indictment in connection with his Small Business Administration dealings, "but [Hale] feels he is being made the 'fall guy' for Arkansas politicians he helped with his investment company, including Clinton."

In a book subtitled "The President and his Adversaries," James Stewart skewers the former but does little to probe the machinations of the latter.

To read the Arkansas papers, however (both Republican- and Democrat-leaning), and to talk to people who have followed Arkansas politics and Hale's career for years, is to walk away with a somewhat different picture—a picture of a man with a fierce paranoid streak, a history of financial shenanigans, and an unbroken habit of playing fast and loose with the truth.

To start, Hale has had more than his fair share of trouble with the law. Most notable, of course, were Hale's management practices at Capital Management Services, the investment firm through which he loaned money to the McDougals. In return for matching funds from the SBA, Hale was supposed to administer loans to "disadvantaged" businesses. Hale has also admitted that of the 57 companies Capital financed, he secretly owned 13. As the judge who sentenced him to prison noted, "You are not a victim." Indeed. Hale was once sued successfully for swindling a girlfriend's grandparents out of their farm. Currently, he's under investigation on charges that he robbed an insurance company he owns of $150,000—money that poor residents of Pine Bluff, Arkansas, had put aside for their burials.

During the Tucker/McDougal trial, witnesses trooped to the stand in Little Rock and testified, one after the other, that what Hale said could not be believed. You might expect that the defense would try to make Hale look bad—but these have been witnesses for the *prosecution*. Hale himself has admitted to lying to the FBI and the SBA. He also recently conceded on the witness stand that when he entered his guilty plea before a district judge in 1994, he lied when he said that none of the many businesses he owned had received SBA money. Hale continued to tell that false story as late as his sentencing hearing—before the same judge—this March. (W. Ray Jahn, the associate independent counsel, insisted after Hale's testimony that his star witness had not told a lie, but rather made a mistake.)

The trial's spotlight on Hale's "mistakes" posed something of a problem for papers, like *The Washington Post*, that have used Hale to hint at wrongdoing by then-Governor Clinton. So one couldn't help being curious: After dutifully repeating Hale's charges for years, how would the *Post* report evidence showing that he doesn't appear to have put his problem with the truth behind him? Here's how the *Post* played Hale's testimony: After prominently featuring stories about Hale's anti-Clinton allegations on the witness stand, the *Post* managed to avoid running a story on April 10, the day after Hale had admitted lying to the judge who heard his guilty plea and sentenced him. (The putatively anti-Clinton *Washington Times*, to its credit, put the story on the front page.) The next day, April 11, the *Post* ran a prominent story about Hale's double-hearsay-based embellishment of his charges against Clinton ("Hale Says He Was Told of Clinton Meeting; Whitewater Witness says Then-Governor Discussed Loan at Mansion"). Finally, on April 21, the *Post* ran a story on Hale's dissembling and less-than-perfect credibility.

Like most non-Arkansas papers, the *Post* invariably accompanies references to Hale with the fact that he has been "in hiding for two years." It doesn't seem to have occurred to them to investigate exactly what he was hiding from. The *Arkansas Times*, in contrast, has made repeated, and unsuccessful, attempts to find any state or federal law enforcement agency investigating the alleged threats against Hale's life.

Security at the Little Rock trial, where Hale has been the government's chief witness, has been minimal; each night Hale has left the court alone, or with his family, seemingly unconcerned for his safety. *Arkansas Times* editor and columnist Max Brantley asked deputy independent

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

counsel W. Hickman Ewing Jr. whether he had evidence that Hale's life had been threatened. "I don't have any evidence," Brantley says Ewing replied, but Ewing added that his office had believed Hale's tales of people calling his house and hanging up and mysterious cars driving by his house.

As a municipal judge whose cases were mostly traffic violations and drunk driving complaints, Hale was known for demanding security precautions, such as double metal detectors, that seemed somewhat excessive to his fellow Arkansans. Some of them, accordingly, suspect that Hale imagined the threats that have kept him in hiding. Of course, it's also possible that the threats were concocted or exaggerated to give Hale's allegations greater weight and to keep him sheltered from scrutiny. The independent counsel's office has conducted some 40 interviews with Hale, but officials of the SBA, the main victim of his deceptions, haven't been allowed anywhere near him.

Hale conceded during testimony in Little Rock that he had lobbied for an independent counsel in the hope that it would help him get leniency. He was quite prescient: Starr has gone to great lengths to coddle the linchpin of his Little Rock investigation. Hale pleaded guilty to fraud and conspiracy in 1994, but with Starr's help, he avoided sentencing for two years. When Hale finally was sentenced, Starr pleaded for leniency: "I believe [Hale] is genuinely remorseful for his criminal past." Hale got 28 months (half the maximum) and a $10,000 fine. And after the Tucker/McDougal trial is over, Hale—or Starr —can request that his sentence be reduced still further. Hale has also received immunity for any other crimes that Starr may unearth.

And there's more. Already the beneficiary of a $1,900-per-month state pension, Hale began receiving payments for living expenses—payments that have cost the taxpayers more than $60,000 in the last two years (money Hale recently admitted he hadn't planned to pay taxes on). Keep in mind that Hale owes the government $2 million in restitution. Hale also has the comfort of knowing that when he faces the Senate, he will have Starr's former partner and Justice Department colleague at his side: Starr and Olson worked together at Gibson Dunn & Crutcher and then followed William French Smith to the Justice Department. Hale, by the way, claimed during testimony that he is broke—and then insisted that he is paying Olson's several-hundred-dollar-an-hour fees himself.

The Trouble With Al

As a prominent Washington attorney, Olson will lend Hale some needed credibility when he appears before the Senate Whitewater Committee. The million dollar question, however, is when Hale will make that appearance. As soon as the "Arkansas" phase of the investigation began, Senate Democrats were extremely anxious to have Hale testify. "He is the only person who has made a direct allegation against the President," says Richard Ben-Veniste, the special counsel to the minority on Whitewater. "He had done all his accusing through the media, [and it was] carefully orchestrated. The public was entitled to the other side of the coin, which was to test the veracity of the allegations ... to see whether [Hale] was still lying."

The Republicans claimed they too were eager to call Hale."I believe it's an absolute necessity that [Hale] should come here," D'Amato said in late November, and added that it should be done "sooner rather than later" to avoid compromising the Little Rock trial or the presidential election. In the fall, D'Amato instructed Ben-Veniste to work with Michael Chertoff, Ben-Veniste's counterpart on the majority, to expedite Hale's appearance before the committee. Starr had said he didn't want Hale called because it could hinder and impede his investigation; D'Amato indicated to the minority he might be willing to call Hale anyway.

But months passed, and Hale was never called—and it appears that was how D'Amato wanted it. After all, polls show that most Americans don't care much about Whitewater, but Hale will raise questions about the President's character and accuse him of breaking the law in a nationally televised forum. The closer this comes to November, the more damaging to Clinton it will be. It seems unlikely that this would displease Al D'Amato, who is also national co-chairman of Bob Dole's campaign for president.

D'Amato, of course, has accused congressional Democrats of trying to limit the hearings' length in order to obscure the truth, and it is likely he will resurrect that charge to try and extend the hearings past the agreed-upon mid-June closure date. For that reason, it's important to examine carefully the chronology of events—most notably the failure to call David Hale—leading up to the hearings' expiration at the end of February.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

For an extended period, the primary obstacle to calling David Hale was that Starr didn't want him testifying, an objection Starr explained in letters to and meetings with both Republicans and Democrats on the panel. To avoid the appearance of partisan scheming, special committees—such as those that investigated Watergate and Iran-contra—have always attempted to maintain majority and minority consultation, particularly when it came to sensitive negotiations with, say, an independent counsel. Republicans on the Whitewater committee were following the same protocol.

On January 16 and 18, the Senate held Whitewater hearings, but the House took time off from Travelgate. On Wednesday the 17th, Travelgate, but no Whitewater. The next week: Whitewater, Monday and Wednesday; Travelgate on Tuesday.

Or so the Democrats thought. In a hearing on November 28, D'Amato let slip that there had been unilateral Republican communication with Starr. Confused by a reference D'Amato made to a conversation with Starr, Senator Paul Sarbanes, the ranking minority member, asked D'Amato "whether you've had any discussions with Mr. Starr" subsequent to the last time both parties had met with the independent counsel.

D'Amato demurred, and Sarbanes pressed him. Finally, D'Amato admitted that "I did speak to [Starr] on the telephone" to discuss when David Hale would be called. Democrats suspect, understandably, that that was not the only call between D'Amato and Starr. Even Republicans won't deny that there was more than one call. "I believe the chairman made one call and may have made another call to Judge Starr about David Hale," says Robert Giuffra, the chief counsel for the Senate Banking committee and one of D'Amato's closest aides. Deborah Gershman, Starr's spokeswoman, will say only that "we don't comment on conversations with the Senate."

Ben-Veniste continued to try to call Hale. As the minority, the Democrats do not have the power to subpoena, but Ben-Veniste did what he could: He sent letters and memos to Chertoff urging him to begin the process, and even drafted a document subpoena for Hale. There was no response from the majority. In the beginning of January, Ben-Veniste finally reached Chertoff and asked him what was going on with Hale. "[D'Amato] is handling this personally ... [I am] out of the loop," Ben-Veniste said Chertoff told him.

Meanwhile, there was another hitch in the effort to call David Hale: Conveniently for the Republicans, Ted Olson wanted Hale to testify later rather than sooner, partly because of his own busy schedule. Again, there was unilateral Republican communication regarding Hale, this time with Olson. Again, it emerged only inadvertently. On January 31, Sarbanes was trying to find out why Hale still had not been subpoenaed. D'Amato began a lengthy discussion of Olson's schedule. Olson, he said, "advised us that he was not in the position ... to begin to consider bringing Mr. Hale in, inasmuch as he had two Supreme Court cases to argue the end of January ... and that he would not consider that nor could he take the time until he had disposed of these matters." D'Amato went on to say that the January blizzard had pushed one of Olson's cases back until February, which meant that the committee couldn't consider calling Hale until after that.

All of this was news to the Democrats, who had been excluded from discussions with Olson about both his schedule and Hale's willingness to come before the committee. As with the conversations with Starr, the majority has trouble recollecting its contacts with Olson. Giuffra, who knows Olson from bar activities, says, "The chairman, myself, and Mike Chertoff have spoken to Ted Olson on less than a handful of occasions about the availability of obtaining David Hale's testimony." Olson remembers "two or three" conversations with D'Amato or Chertoff or Giuffra.

Ben-Veniste then tried to contact Olson to discuss Hale's willingness to testify, but Olson told him that he had been advised by D'Amato's staff not to negotiate with Ben-Veniste. Ben-Veniste called Giuffra, who, he says, "advised me that the chairman was going to handle the issue of calling David Hale himself." Ben-Veniste asked Giuffra

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to go back to the chairman for more information. Giuffra then said, according to Ben-Veniste, "that the chairman said the ball was in Olson's court and that Olson would get back to the committee after he had heard from Hale."

What worried Ben-Veniste was that the Republicans would use Hale as an excuse for extending the hearings. His concern, he says, was that "They might be—just might be—setting this up as a reason to use for continuing these hearings because they could not get him as a witness." This infuriated him personally and offended him professionally. He had spent months trying to get Hale called, with no response or cooperation from the majority. As he said in a letter to the majority in late February, "It would be a distortion of the record to argue that there hasn't been time to call Hale."

But that's precisely what happened. On February 29, the resolution expired. The next day, Chairman D'Amato issued a press release calling for an extension. In the release's final paragraph came this statement: "We suspect the Democrats don't want the American people to hear David Hale testify."

D'Amato also blamed the White House for dragging its feet in complying with his requests. But D'Amato bears blame for the committee's laggardness too. As the Special Committee approached its expiration date, one might have ex-

This is How Scandals Get Started: Jean Lewis at the RTC

Looking over old Whitewater articles, as I had occasion to do recently, can be an almost alarming experience—all those now-forgotten "revelations," all those blinking bureaucrats who were hauled briefly before us. A *Time* cover story from early 1994 alleged possible criminal behavior by presidential advisor George Stephanopoulos. Stephanopoulos had complained about the appointment of Republican Jay Stephens to head the Resolution Trust Corporation's civil investigation of the failure of the Madison Guaranty Savings & Loan. The story was decorated with a memorable "President's Men" photograph: Stephanopoulos, a fresh hatchling of evil, and the scandal-shadowed Clinton brooding darkly over the President's ... itinerary? If it's only the cover that's remembered now, it's because the story within was a thin tissue of dubious might-ifs, based on a leak from a panicky administration official.

The swirl of activity around the RTC is an instructive episode in the bizarre series of events known as "Whitewater." The press has devoted enormous attention to allegations that Clintonites tried to interfere with the agency, which was created to clean up failed savings and loans. Meanwhile, we've heard only the thinnest of scraps regarding another story at the RTC—how political opponents of the Clintons went out of their way to tie them to illegal activity to Madison and used tactics that are, at the least, questionable.

In 1992, for example, President Bush's chief counsel, C. Boyden Gray, called Albert Casey, then head of the RTC, to ask about a criminal referral that mentioned the Clintons. Referrals are a collection of data indicative of possible wrongdoing, based on which the Justice Department decides whether to prosecute. Gray wasn't even supposed to know such a referral existed. The mere fact that he called Casey was a violation of the integrity of the RTC—which is supposed to be entirely independent of the executive branch. (Casey, appropriately, avoided further contact with Gray.) Needless to say, this story didn't make the cover of *Time*. It barely got covered at all.

Perhaps the most dramatic instance of skewed press coverage on the matter of Madison and the federal investigation into it, however, is the story of L. Jean Lewis, the RTC's chief investigator for Madison. Lewis wrote the two sets of criminal referrals involving the Clintons and recommended that the U.S. Attorney in Little Rock take action. Those referrals were central to the appointment of an independent counsel, as well as the convening of Senate hearings. Without Lewis, there might have been no Whitewater.

So who is she? Republicans portray her as a hard-working civil servant whose attempt to expose the truth led to her removal from an important case. In *Blood Sport: The President and His Adversaries*, James Stewart adopts this motif, calling her "churchgoing" and "patriotic." Lewis herself has couched her work in lofty terms: "I was raised in a military environment ... I was taught respect for our institutions and the rule of law. And I learned that under our Constitution, no one is above the law, no matter how powerful." A self-described conservative, Lewis says that she took care to sequester her political views from the Madison investigation.

The truth is more complicated. The investigation of Madison wasn't slated to begin until late 1992. In March of that year—right after the first *New York Times* article about the Clintons and Madison appeared—Lewis moved up the investigation to April. In September, she submitted a criminal referral from the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

pected them to work at breakneck speed. After all, the Iran-Contra committee held 21 days of hearing over a one month period as it approached its deadline.

Instead, the Whitewater committee held only seven days of hearings in January, and eight in February. No hearings were held at all in the week before the resolution expired. When the Committee did have hearings, they usually began at 10:30 or 11 o'clock and concluded by early afternoon. Yet in January and February, the Senate was not voting on the floor, which meant there was little competing legislative business to distract committee members.

The House was holding Travelgate hearings in January, including the testimony of Billy Dale. On January 16 and 18, the Senate held Whitewater hearings, but the House took time off from Travelgate. On Wednesday the 17th, the situation was reversed: Travelgate, but no Whitewater. The next week, the same thing: Whitewater Monday and Wednesday, but not Tuesday, and Travelgate on Tuesday. However the scheduling happened, it was an awfully effective way of commanding maximum press attention for both sets of hearings.

Take It From Dole

When D'Amato requested an extension of the resolution funding the Whitewater committee, the

investigation, mentioning the Clintons as witnesses. Records show that Lewis devoted the great bulk of her time to Madison, to the neglect of more important investigations.

The referral Lewis submitted in 1992 was rejected by the U.S. Attorney in Little Rock, Charles Banks, who was a Republican appointee. Banks doubted whether a successful prosecution could be mounted on the basis of the referral and stated that to move forward on the case might amount to "prosecutorial misconduct."

Stewart makes the outlandish claim that Banks, while a Republican, was "an Arkansan first," and therefore reluctant to pursue the Clintons. He also asserts that Banks would have feared that going after the Clintons would hurt his career. But if anything, Banks would have had the opposite motive. In fact, Banks, a Bush appointee, lost his job after Clinton took office.

Other officials agreed with Banks's opinion of Lewis's referral. Mark McDougal, a staff attorney at the Department of Justice, said in a memo that "No factual claims can be found in the referral to support the designation of Mr. or Mrs. Clinton as witnesses." A career prosecutor in the Little Rock office and two FBI special agents assigned to the case also testified in the Senate that they found the inclusion of the Clintons as witnesses to be unsupported.

Lewis was (at least ostensibly) removed from the Madison investigation in November, 1993. Rep. James Leach has suggested that her removal was a political act in response to political pressures. But the record shows that it was directed by the senior counsel to the Kansas City RTC's Professional Liability Section, Julie Yanda, who told the Senate Lewis had been hoarding and hiding documents related to Madison. Yanda believed Lewis's conduct was damaging both the investigation and her office. Even after Lewis was "removed" from the case, she continued to work on Madison. She even taped at least one conversation, with April Breslaw of the Washington RTC office—then leaked the tape to Rep. Jim Leach. In sworn testimony, Lewis claimed the taping was an accident; Stewart implies that Lewis did it deliberately. If so, she perjured herself.

Because of her harsh, outspoken criticism of the Clintons—she once had plans to market various trinkets (bumper-stickers, etc.) using the logo B.I.T.C.H., for "Boys, I'm Taking Charge Here," or "Bill, I'm Taking Charge, Hillary"—one might wonder if Lewis's judgment on Madison was colored by her political views. But there is also direct evidence of political motivation. An RTC staffer has described a discussion with Lewis in which she stated flatly said that Governor Jim Guy Tucker would resign when he learned that he was named in the referrals, and from which he concluded that the referrals were a "roadmap" to Clinton's removal from office. Lewis has been quoted as saying that she was working on a project that would change the course of history. And she has been represented by lawyers from the Landmark Legal Foundation, an organization known for pursuing—and, some suspect, creating—right-wing cause celebres.

Meanwhile, nothing has emerged to justify Lewis's inclusion of the Clintons in those criminal referrals. Jay Stephens's civil investigation supported the Clintons' account of their losses, cleared them of involvement in irregularities, and put to rest a number of subsequent allegations as well. The truth is that Jean Lewis's investigation is replete with the stuff that caused feeding frenzies when alleged of the Clinton White House—politicization of investigative agencies, abuse of power, "improper contacts," even the possibility of lying under oath. In fact, it looks more like Whitewater than Whitewater does.

—Carol Cantor

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

majority and minority began to wrangle over how much more time (and money) the committee would get. The Democrats agreed to keep it up until June—but D'Amato demanded an unlimited extension. The Democrats refused, and filibustered the resolution. "The minority members of the Senate don't want the investigation to continue," Olson told me.

In fact, the Democrats were simply resisting what would be a first in the history of Congress—no hearings have ever been extended without a termination date, including the Iran-contra hearings, which Democrats wrapped up before the presidential campaign went into full gear, even though they knew its continuation would politically injure the GOP. As the Democratic-controlled Senate was considering how long to extend Iran-contra hearings in 1987, one Senator offered some useful perspective: "The American people are concerned about the Iran-contra matter, but they are also concerned about the budget, about the trade bill, about health care, and a whole host of issues that will have to be addressed in this chamber. The problems of the past, as important as they are, are not as important as the tasks of the future."

That senator was Bob Dole. Now, of course, he's majority leader—and his Senate suddenly seems much more concerned with the past than the future. Public education, the number one concern of the American people, according to several recent polls, has gotten three days of hearings—out of the more than 400 since the 104th Congress began. By consuming a hefty portion of our political culture, Whitewater diverts us from more urgent issues.

Whitewater is also, of course, consuming a large number of our tax dollars: Robert Fiske's investigation cost $6 million, and at last count Kenneth Starr's had cost approximately $19.6 million. The Resolution Trust Corporation spent an additional $3.6 million for the Pillsbury Madison & Sutro report. Special Senate appropriations have so far come to $1.3 million, with more to come. That brings the total—so far—to approximately $30 million.

That figure does not include what the House spent on Whitewater-related hearings, nor the costs that various agencies—from the SBA to the Park Police—have incurred to comply with the requests of Starr and the Senate, which has now accumulated more than 10,000 pages of documents. Complying with D'Amato's subpoena of thousands of e-mail messages, for example, will ultimately cost the White House Executive Office of the President close to $200,000. This doesn't include the White House staff's work hours to comply with the request. And, as of yet, the committee has produced nothing of relevance obtained from the e-mail. As Max Brantley of the *Arkansas Times* puts it, "Don't spend my tax dollars to solve ultimately political questions."

A fund-raising letter for Citizens United, a conservative anti-Clinton group, reads, "Now, Bill and Hillary Clinton are involved in a massive cover-up.... They have unlimited resources of the U.S. Government to back them up. And they are using those resources." The President does indeed have access to massive resources. But considering the furor that erupted when Clinton officials even toyed with the idea of using the executive branch to ascertain the progress of the RTC's Whitewater investigation, it's unlikely they'll attempt that again. "Remember Roger Altman" would be on too many lips.

In fact, it's Kenneth Starr—who has invaded Little Rock with 20 prosecutors and 50 IRS and FBI agents—who has the unlimited resources of the U.S. government at his disposal. Conservatives who vociferously oppose big government have been conspicuously silent on the independent counsel's vast reach and resources, and the way the federal government's power has been brought to bear on the people of Arkansas. That issue was implicitly raised in *The New Yorker* by Jane Mayer, who documented the independent counsel's attempts to secure cooperation from potential witnesses by threatening them with prosecution.

With stories like Mayer's, the press coverage of the Whitewater investigation has begun to turn; *The New York Times* has clearly scaled down its Whitewater coverage recently, and Mayer's story, among others, prompted the *Times*'s editorial page to call for Starr's resignation. What's remarkable, though, is that of all the revelations about Starr that the editorial cited, not one had been uncovered by the *Times* (or *The Washington Post,* which has also continued to make Whitewater a front-page story).

Information about Starr's extensive private legal work—for clients ranging from the Republican National Committee to the ultra-conservative Bradley Foundation to Brown & Williamson Tobacco Co.—was first reported by *The Washington*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Times's Frank Murray last September (proof that the "machine" is not a monolith). It took *The Washington Post* and *The New York Times* six months even to mention Starr's conflicts. The *Post* and *Times* have yet to report an intriguing chain of events first noted by the Associated Press (and detailed in the *Monthly*'s March issue): Sen. Lauch Faircloth, an avid Clinton opponent, and Judge David Sentelle lunched; Sentelle replaced Robert Fiske with Starr; Faircloth hired Sentelle's wife.

Similarly, it was neither the *Times* nor the *Post*, but Joe Conasan and Murray Waas in *The Nation*, who broke the story about a much more serious Starr conflict: his investigation of top RTC officials even as they were suing his law firm, Kirkland & Ellis, for doing legal work for a failed savings and loan. The *Times* at least editorialized against it; at the time this issue went to press, the *Post* had made only an obscure reference to it in a larger story about Starr.

Indeed, almost all of the revelations about the wizards behind the curtain of the scandal machine have come from *The Washington Times*, *The Nation*, *The New York Observer*, *The New York Review of Books*, the *Arkansas Democrat-Gazette* and *Times*, and *The Washington Monthly*. None of this has come from opinion-making papers like the *Times* and *Post*. The mainstream national press seems to have misplaced its skepticism about the Clintons' opponents, perhaps because it's been so extraordinarily skeptical about the Clintons themselves. (Republican staffers seemed dumbstruck when I asked about the timing of the hearings and about communication between D'Amato and Starr, which suggests that they hadn't encountered those questions before.)

As Gene Lyons first pointed out in the *Monthly* in 1994, the *Times* invested an extraordinary amount in Whitewater being a story. To admit that the story wasn't worth the reporting resources expended would be to end up with, well, egg on its face. Remember that front-page *Times* story that alleged document-shredding at the Rose Law Firm and compared Whitewater to Watergate? The shredding turned out to be innocuous, but the *Times* has mentioned that only in passing. You can understand their predicament: Do they run a correction saying, "We erred when we placed Whitewater on par with Watergate?"

Still, the fact that some major papers feel trapped by the way they played Whitewater in the past doesn't justify how they have dragged their feet in examining the other side of the coin. When Arkansas Judge Harry Woods threw out an indictment against Governor Tucker, *The Washington Post*'s Susan Schmidt reported that Woods's involvement raised questions about "the independence of judges and prosecutors who come out of the same Arkansas political power structure that is under close scrutiny in the case." But there are other political power structures at work in Whitewater as well—particularly the interlaced network of Republican judges and politicians and foundations and individuals who have a personal, political, or career interest in seeing the Clinton presidency weakened or ended. Prominent among them are D'Amato and Starr, but there are others.

Consider the Eighth Circuit panel that overturned Woods's ruling on the grounds that the judge was a friend to the Clintons and therefore ought to have recused himself. Most appeals court cases are randomly assigned. This one was not randomly assigned, and it ended up with a three-judge panel composed of three Republicans and led by Judge Pasco Bowman, a Jesse Helms protégé who had been appointed by Ronald Reagan. Bowman is also a former board member of the Landmark Legal Foundation, which co-represented L. Jean Lewis, the RTC official who made sure the Clintons' names ended up as witnesses on RTC indictments. (See sidebar.) As Brantley says, mocking the common perception of Arkansas politics, "All you Arkies might not have broken any laws, but it sure looks bad."

The mainstream media have also exhibited an almost total absence of skepticism toward one of their favorite sources on Whitewater, Citizens United, an anti-Clinton interest group based in Fairfax, Va. Citizens United head Floyd Brown and his right-hand man David Bossie have done more to shape media coverage of Whitewater than anyone else in Washington or Arkansas. They have produced much of the documentation and information on which the major media's stories, as well as congressional hearings, have been based; they brought David Hale to the public via the press; and Bossie even accompanied members of the media on investigative trips to Arkansas.

Citizens United has been emboldened by its success in spoonfeeding the press and Congress. As Floyd Brown wrote in a recent fundraising let-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ter, "Our top investigator, David Bossie, is on the inside directing the probe as Special Assistant to U.S. Senator Lauch Faircloth on the U.S. Senate Whitewater Committee." Brown is perfectly open about his contacts with Bossie. "I talk to him all the time.... I'm an interested citizen, and I'm a journalist.... I talk to all kinds of senators, congressman, journalists, staffers."

Then Brown changed the subject: "I don't think who I talk to is very interesting. I'm more interested in who Hillary talked to the night of Vince Foster's death." Brown is deft at deflecting scrutiny of Citizens United, but the group could use some: A quick trip to the Federal Elections Commission revealed that the group's political action committee, the Citizens United Political Victory Fund, has received seven monthly "failure to file" notices from the FEC—meaning that it has not complied with FEC regulations requiring reports of disbursements and receipts since last July. This is the group, remember, devoted almost exclusively to documenting which laws and regulations the Clintons failed to comply with a decade ago.

But with Bossie shepherding Whitewater through Congress, Brown, the self-proclaimed muckraker of the right, is moving on. When I asked Brown what he thought of *Blood Sport*, he said, "It was a pretty fun read ... but I would have done it differently." The man who has spent three years tracing every thread of the Whitewater transactions suddenly dismisses them, and says, "I would have focused more on the relationship between Clinton and Dan Lasater."

Who?

"Lasater went to prison for dealing drugs," Brown explains eagerly. "He was a major contributor to Clinton in the 1980s. Roger Clinton worked for him. In fact he may have gotten Roger involved with drugs. He and Clinton had a very close relationship and Lasater made hundreds of thousands of dollars off the state bonding business when Clinton was governor. I would have spent more time on that than Stewart did...."

The Dan Lasater hearings: produced by Floyd Brown, directed by Al D'Amato, and favorably reviewed by the national press—coming to a Senate hearing room near you this October? □

Who's Who

Now that each party's nominee is a sure thing, what are political writers going to write about between now and the fall campaign? That was the question in an informal survey conducted by **Peter S. Canellos** of *The Boston Globe*. Some reporters answered that they would focus on the issues. But *Newsweek*'s **Tom Rosenstiel** thought that the boys will be grumpy because they aren't on the bus: "Grumpy reporters lead to grumpy stories. We'll make a lot of mischief for the candidates ... [I'd] expect that parliamentary maneuvers in Congress will be written about as if they were war games off the coast of China."...

To get a House vote on the GOP bill to repeal the ban on assault weapons, **Newt Gingrich** had to do an end run around the House Judiciary Committee, which normally would have handled the bill. The reason was that **Henry Hyde**, the committee's chairman, opposed the bill. Gingrich may have placated the NRA but in doing so he risked alienating one of his most respected colleagues....

The California state officials who resigned to join **Pete Wilson**'s campaign for president could not be said to have suffered from their apparent sacrifice. After having received substantial payments—as much as $49,000—for accumulated leave and vacation time when they resigned, they have been rehired at salaries averaging 32 percent higher than when they left....

Robert Dole's most trusted aides on the Hill include **Sheila Burke**, the woman the far right loves to hate, **Robert Lighthizer**, and **Rod DeArment**; on the campaign staff, **Scott Reed**, who was executive director of the Republican National Committee during the 1994 GOP congressional landslide, **Jo-Anne Coe**, and **Jill Hanson**. The inner, inner circle is said to consist of Burke, Reed, and Coe.

The most powerful of Dole's informal advisors may be **Tom Korologos**, a lobbyist Dole met when Korologos was congressional liaison for **Richard Nixon**'s White House. Korologos now represents Northrop-Grumman, Chrysler, Anheuser-Busch, Monsanto, Union Pacific, the American Medical Association, and National Rifle Association. As for Dole's money, his top contributors over his political career include E&J Gallo Winery, Koch Industries, and, you guessed it, Archer Daniels Midland....

Whatever happened to **Ira Magaziner**? The former health care czar is still working at the White House, but no one seems to know what he does all day....

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Boys Off the Bus ... Dole's Soul ... The Magaziner Mystery ... Lesley's Luxury ...

Who would stay in a second Clinton term and who ıld leave? **Leon Panetta** is restless and unlikely to ' after January 1997. His most likely replacement? **kine Bowles**, the popular former deputy chief of staff) left the White House to spend more time with his ily. Bowles's kids will be older by '97 and he may be to take the reins. Another possibility: White House ınsel and former Gore Chief of Staff **Jack inn**. In the cabinet, don't expect to see **ıry Cisneros**, **Hazel O'Leary**, or **Laura ındrea Tyson** after this fall. Also like- o head off: **George Stephanopou-** ...

Roman Genn

Are media critics justified in alleg- that today's reporters have lost r identification with the average ı because they have become part he elite? The charge is, of course, true of all reporters, as those of who work for *The Washington nthly* are painfully aware. On the er hand, there was an interview ı **Lesley Stahl** in a recent issue of ı *Appetit* in which she was asked, hich hotel do you prefer for room vice?" Her answer: "The Ritz ·lton—the Ritz Carlton any- ere."...

There's a struggle going on over) will hand out the jobs and con- ts that will come from the Democratic National Con- tion. In one corner is the Democratic National Com- tee. In the other is Chicago Mayor **Richard Daley**. lions of dollars are at stake....

Conflict of interest between a husband's job and his e's is an increasingly common story in Washington. : latest example is the case of **Jonathan** and **Susan let**. He is the newly appointed chief policy counsel for :I Telecommunications and she is director of public ıirs at the FCC, an agency whose policy rulings have re than a little to do with the future of her spouse's npany....

Department of Energy employees who are being fur- ghed for two days without pay are asking why **Hazel Leary** can't display the ingenuity in finding funds to ' them that was so conspicuous in the financing of her vels, such as the $400,000 she had moved from a de- fense account to defray expenses on her trips to South Africa. "When Hazel O'Leary took her trips," **Deborah J. Bullock**, a DOE employee, complained to *The Washington Post*'s **Sharon Walsh**, "money was reprogrammed. If she can find money to go to India, China, Africa and take an entourage, she could find the money for us." Civil servants at the DOE are also less than thrilled by the news that O'Leary's political appointees are exempt from the unpaid furlough. Why? Because their salaries come from a separate account, silly....

Rep. **Don Young**, the Alaska Republican who chairs the House Resources Committee, is no friend of **Bruce Babbit**. The congressman's attitude toward the Interior Secretary's environmentalism can be divined from the new name he wants to give the Arctic National Wildlife Refuge. Young would rechristen it the "Arctic Oil Reserve." According to columnists **Jack Anderson** and **Michael Binstein**, Young likes to torment Babbitt and his staff by drowning them in requests for documents, some of which are a bit unusual. For example, Young wanted all photographs taken of the Secretary during any trips in 1994, 1995, and thus far in 1996....

Bob Dole was behind in his race for the Senate in 1974. His opponent was a doctor-turned-congressman who had performed a few abortions to save the mother's life. The doctor was far ahead in the polls, when in the final seconds of a debate, Dole asked him, "Why do you do abortions? And why do you favor abortion on demand?" Dole went on to win the election in a year that was otherwise pretty much of a Democratic sweep nationwide. **Richard Ben Cramer** in his mostly sympathetic portrait of Dole in *What It Takes*, says Dole was so depressed by what he had done that he told one aide, "I'm just not sure it's worth it." Apparently, Dole has decided it is worth it once more. According to *USA Today*, this year when he had to win the South Carolina primary after consecutive losses in New Hampshire, Delaware, and Arizona, he told the Christian Coalition, "I have a flawless record on standing up for the unborn ... In fact, the first time this was an issue was in my race in Kansas in 1974."...

—*Susan Threadgill*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Where Have You Gone, Andrew Carnegie?

Why today's big earners should be big givers too

BY PETER HENLE AND MARK DRAJEM

At first glance, Andrew Carnegie and Barbara Piasecka Johnson have much in common. Both were immigrants to the United States. Both rose from humble beginnings to great wealth. And both wanted to give something back to America. Carnegie, steel mogul of the early 20th century, gave grants to local communities to build libraries, and he founded a university and foundation that still bear his name. Now Johnson, widow of Johnson & Johnson heir Seward Johnson Jr., is making plans to give away some of her wealth. "I came to America and my dream came true," Johnson told *The New York Times*. "Now it's good to share with other people."

The cause Johnson has selected, though, is a bit different from Carnegie's. Johnson is turning her $25 million mansion and grounds in Princeton, New Jersey, into a country club. If you think that she's trying to create a recreational habitat for poor neighborhood kids, think again: The club will be for the lucky few who can pony up a $36,000 initial fee and $5,000 for annual dues.

Johnson's idea of charity may be, well, unusual (and, to be fair, not exactly typical of other members of the Johnson family), but it does suggest something amiss in how the rich view their philanthropic duty. In fact, many don't feel any such duty at all. As Michael Lewis observed in *The New York Times Magazine*, today's rich have developed a "righteous indignation toward the claims of the unrich: you can't give money to anyone you don't respect, and you can't respect anyone who doesn't make money." But, at a time when a relative handful of Americans are doing remarkably well, it's time for a few modern-day Andrew Carnegies to step up to bat.

Carnegie was an unlikely hero. As a child in 1848, he emigrated from Scotland to the United States. His first job here was as a bobbin boy in a textile mill; from there, he held a succession of jobs in a telegraph office, railroading, and, eventually, iron ore and steel. As a robber baron par excellence, he molded Carnegie Steel into the biggest American steel producer partly through intimidation and other unsavory tactics, but also through impressive business acumen (he was, for example, among the first to utilize a cost accounting system).

Peter Henle is a retired labor economist whose grandson Josh first got him interested in Andrew Carnegie. Mark Drajem is an intern at The Washington Monthly. *Research assistance by Lisa Fine.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

As his empire grew, Carnegie asked himself what should be done with the enormous wealth he and others were accumulating. In an 1889 article he proposed an answer: "There are but three modes in which surplus wealth can be disposed of. It can be left to the families of the decedents; or it can be bequeathed for public purposes; or, finally, it can be administered by its possessors during their lives."

Carnegie quickly dismissed the first two options. Large inheritances, he thought, helped neither the heirs nor the state. "The man who dies rich dies disgraced," he once wrote. Bequeathal meant waiting until after death to "be much good in the world." His preferred solution was actually to levy heavy taxes on the rich; but in lieu of that he proposed that wealth "be administered by its possessors"—not randomly, but with great purpose. Heeding his own advice, Carnegie helped build the institutional infrastructure of America. He donated $350 million in his lifetime. If that doesn't sound like much, it's *$5.4 billion* in 1995 dollars.

Carnegie's specialty was libraries. In the late 19th century, only 900 libraries existed in America. With his leadership and money, 2,500 more were constructed. The deal was that he would construct the library building; then the city, town, or county would provide a central site and commit to buying the books, staffing the library, and maintaining the building. Carnegie also financed academic research (including that of Marie Curie), as well as the many buildings and institutes that still bear his name, including the Carnegie Institute, the Carnegie Endowment for International Peace, and, of course, New York's Carnegie Hall.

Today, large-scale, strategic philanthropy intended to improve equality of opportunity in America is rare. Sure, a few big foundations, including Carnegie's, continue to make good on their founders' aims. And overall philanthropic giving by Americans topped $100 billion in 1994, according to *Giving USA*, an annual report on charitable donations. But that number pales in comparison with the enormous growth in wealth by the super-rich. From 1982 to 1995, the number of billionaires increased from 13 to 94, according to *Forbes*. The net worth of those billionaires is an astonishing $220 billion—more than the annual federal deficit. But few of them are putting their wealth to work for America.

Consider some of America's more prominent billionaires. Ross Perot, worth $2.4 billion, is considering pouring $30 million dollars into yet another self-aggrandizing presidential campaign. The $16 billion man, Bill Gates, has given away $35 million dollars—chump change, really—over the last nine years. His rival for the title of America's richest man, investor Warren Buffet, has said he will not give any money to philanthropic causes during his lifetime. Sumner Redstone, who made his $4 billion from cable television (including MTV) doesn't donate any serious money. Instead, he teaches courses for free at Harvard and Boston University Law Schools.

Let Them Buy Stock

Carnegie-style philanthropy requires more than the few million dollars that fund a Mongolian tour for Auntie Nellie's favorite ballet. It means personal and financial involvement, and, ideally, giving that promotes equality of opportunity.

For an aspiring modern Carnegie, finding needy causes to support is easy enough. Take Head Start, the pre-kindergarten education program for disadvantaged children (which, incidentally, began as a small, foundation-funded pilot in Michigan): The federal government puts $3 billion dollars a year into it—enough to cover only 37 percent of the eligible kids. To fund all of the kids living in poverty, another $6 billion is needed; why don't the rich step up to the challenge? President Clinton recently proposed $1,000 college scholarships for the top achievers among high school graduates; that's something philanthropists could fund (although such scholarships should be given on a need *and* merit basis).

In line with the Carnegie philosophy that recipients of philanthropy should also be required to contribute, the wealthy could provide large-scale private funding to the Model Blocks program described in the *Monthly*'s April issue. This program offers enhanced police protection and funding for inner-city families who maintain their homes and communities. Wealthy donors could also fund massive voter registration drives, or Teach for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

America and other AmeriCorps-style programs.

It doesn't just matter *what* philanthropists fund, however; it also matters *how* they do it. They should develop a vision of what they want to accomplish—and then follow through with generous and long-term support. Carnegie thought hard about how he could change the face of America and, in many ways, he succeeded because the strength of his idea was matched by hundreds of millions of dollars over many years. Philanthropists should think about what today's needs are and how they can help meet them over the long haul.

Philanthropists should also target areas where the private sector can be more effective than the government. Contrary to what some conservatives claim, the private sector can't do it all—government still needs to take care of the basics, whether environmental protection or national defense. But there are places where private money can achieve more than public dollars.

Andrew Carnegie: Great Scot

Worker retraining is one candidate. Government doesn't have a great track record when it comes to job training, and it doesn't have the day-to-day workplace insight or the flexibility to cope with changing workforce needs. Businesspeople, especially far-sighted ones, are the best choice to lead—and fund—a concentrated effort to help workers adapt to the new economy.

Big time philanthropy does not mean taking a vow of poverty. Bill Gates can still build his $25 million dollar home on Lake Washington (Carnegie, after all, had his Manhattan mansion). And Ross Perot need not be begging for hand-outs on Dallas street corners. But massive giving, to fill a real social need, ought to become a source of pride for the super-wealthy; putting 10,000 children through college ought to be as much—or more of—a source of pride as increasing the company's stock price by 25 percent. Money can't buy happiness, but there is plenty of good that a pot of money, Carnegie style, can do.

There's no better proof than the few who have followed in Carnegie's footsteps. Eugene Lang made his money in technology, and his wealth is not of Carnegie proportions. Still, Lang is proof that, with a great idea, even a lesser fortune can have Carnegie-like impact. Lang selected a class of youngsters at his old elementary school in East Harlem and promised to pay the college tuition of all those who stuck it out through high school graduation. Most of them have. And other philanthropists have picked up the baton; there are now more than 50 cities around the country—with other sponsors—affiliated with Lang's "I Have A Dream" foundation.

Then there are today's few big givers, like Walter H. Annenberg. Now in his late eighties, Annenberg made his fortune in newspapers and magazines. In 1989 he established a foundation that aims to provide support for early childhood and K-12 education. It provides annual grants of more than $600 million. In 1994, for example, the foundation made a $50 million grant to upgrade New York City schools, with the caveat that for each dollar it gave, the city had to raise two from other sources.

Billionaire financier George Soros is probably the most talked about philanthropist of the modern era, and the most like Andrew Carnegie. In the last five years, Soros has given half his annual income—a total donation of $300 million in 1994—to the foundations he created in Eastern Europe, the former Soviet Union, Haiti, South Africa and, just recently, the United States. In each country where Soros gives, an independent foundation supports programs that match Soros's vision of "open societies"—encouraging a free media or protecting human rights, for instance.

And, finally, there's a philanthropic inspiration for all of us: Oseola McCarty, an 87-year-old Mississippi woman, recently gave a hefty grant to fund scholarships for black students at the University of Southern Mississippi. The amount she gave—$150,000—is a pittance for a Buffett or Gates, but she put them to shame: She donated her entire life savings, earned over decades of washing richer people's clothes. □

Culver Pictures

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Memo of the Month

The following memo was distributed by GOPAC, the Republican organization formerly chaired by Speaker Newt Gingrich, to candidates in state legislature races. The text has been retyped (to condense three pages into one) but no words have been changed (or misspellings corrected).

GOPAC

LANGUAGE: A KEY MECHANISM OF CONTROL

As you know, one of the key points in the GOPAC tapes is that "language matters." In the video "We are a Majority," Language is listed as a key mechanism of control used by a majority party, along with Agenda, Rules, Attitude and Learning. As the tapes have been used in training sessions across the country and mailed to candidates we have heard a plaintive plea: "I wish I could speak like Newt."

That takes years of practice. But, we believe that you could have a significant impact on your campaign and the way you communicate if we help a little. That is why we have created this list of words and phrases.

This list is prepared so that you might have a directory of words to use in writing literature and mail, in preparing speeches, and in producing electronic media. The words and phrases are powerful. Read them. Memorize as many as posssible. And remember that like any tool, these words will not help if they are not used.

While the list could be the size of the latest "College Edition" dictionary, we have attempted to keep it small enough to be readily useful yet large enough to be broadly functional. The list is divided into two sections: Optimistic Positive Governing words and phrases to help describe your vision for the future of your community (your message) and Contrasting words to help you clearly define the policies and record of your opponent and the Democratic party.

Please let us know if you have any other suggestions or additions. We would also like to know how you use the list. Call us at GOPAC or write with your suggestions and comments. We may include them in the next tape mailing so that others can benefit from your knowledge and experience.

Optimistic Positive Governing Words

Use the list below to help define your campaign and your vision of public service. These words can help give extra power to your message. In addition, these words help develop the positive side of the contrast you should create with your opponent, giving your community something to vote *for*!

share, liberty, peace, change, commitment, rights, opportunity, principle (d), pioneer, legacy, unique, proud / pride, challenge, duty, building, control, precious, preserve, truth, premise, pro- (issue: flag, children, environment), moral, care (ing), courage, tough, reform, listen, reform, prosperity, learn, workfare, crusade, help, eleminate good time in prison, movement, lead, children, vision, strength, family, success, choice / choose, debate, empower (ment), fair, compete, citizen, protect, active (ly), activist, confident, we / us / our, mobilize, incentive, candid (ly), conflict, hard work, humane, light, initiative, pristine, dream, common sense, provide, freedom, passionate

Contrasting Words

Often we search hard for words to define our opponents. Sometimes we are hesitant to use contrast. Remember that creating a difference helps you. These are powerful words that can create a clear and easily understood contrast. Apply these to the opponent, their record, proposals and their party.

decay, endanger, stagnation, failure (fail), coercion, welfare, collapse (ing), hypocricy, corrupt, deeper, radical, selfish, crisis, threaten, insensitive, urgent (cy), devour, status quo, destructive, waste, mandate (s), destroy, corruption, taxes, sick, incompetent, spend (ing), pathetic, permissive attitude, shame, lie, disgrace, liberal, destructive, punish (poor…), they / them, impose, bizarre, unionized bureaucracy, self-serving, cynicism, greed, cheat, "compassion" is not enough, ideological, steal, insecure, abuse of power, betray, anti- (issue: flag, family, child, jobs), machine, consequences, bosses, limit (s), obsolete, shallow, pessimistic, criminal rights, traitors, excuses, red tape, sensationalists, intolerant, patronage

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

POSTSCRIPT

Bill Clinton on How to Save the Public Schools

In the March issue, we ran a story on the peril of the country's public schools that began by noting that the nation's leaders have consistently failed to make education a top priority. The piece specifically criticized President Clinton who, with his daughter safely enrolled in the private Sidwell Friends School, has "kept us waiting" on public education.

Since then, the President has risen in the polls and, newly confident, begun to consider what he might do in a second term. According to a report by Matthew Cooper in The New Republic, *the point man for developing that vision is domestic policy advisor Bruce Reed. And Reed's most recent major project, with speechwriter Michael Waldman, was Clinton's address before the education conference of governors and business leaders in Palisades, New York, on March 27.*

Whatever text Waldman and Reed prepared, this speech was clearly the President's own. He referred back to various panels at the summit and to his own considerable experience in Arkansas. He showed not just that he is familiar with schools, but that he understands them. In the course of 35 minutes, he laid out a reform plan that was intelligent, comprehensive, and politically courageous.

If you're scratching your head wondering what speech we're referring to, that's because you didn't catch it on C-Span and depended on journalists to report it to you. All but a few of the major papers neglected to mention what was truly significant in the speech—Clinton's call to reduce the bureaucracy, recruit good principals and hold them accountable, and improve the ranks of teachers. Regarding this last measure, a favorite of reformers like us, the President endorsed "alternative certification"—allowing able people with knowledge of the subject to teach without going through education schools—and merit pay for teachers. Stories in The New York Times, The Washington Post, *and the* Los Angeles Times *omitted these issues entirely.* Time *and* Newsweek *didn't cover the speech at all.*

Had they been paying attention—or known what to listen for—the reporters in Palisades would have also heard Clinton take on a core Democratic constituency. After praising teachers and pointing out that good ones are the key to successful schools, Clinton said that the process of removing teachers who are "burned out or not performing up to standard ... has to be much faster and far less costly than it is." In essence, Clinton was calling for bad teachers to be fired. This is anathema to the teachers' unions—who seem to believe their job is to protect the marginals and incompetents, not the vast majority of teachers who are hard-working and effective. But Clinton is right on target. He is also right to want to include teachers' unions—and, of course, teachers themselves—in the monitoring and evaluation of teachers. "[S]tate and school systems and teachers unions needs to be working together," the President said. We couldn't agree more.

We applaud the President—and hope he'll stay with this topic as long as it takes. Since you're not likely to read a full account of it elsewhere, we are reprinting portions of Clinton's address. —*The Editors*

I suppose that I have spent more time in classrooms than any previous President, partly because I was a governor for 12 years and partly because I still do it with some frequency. I believe the most important thing you can do is to have high expectations for students—to make them believe they can learn, to tell them they're going to have to learn really difficult, challenging things, to assess whether they're learning or not, and to hold them accountable as well as to reward them.

Most children are very eager to learn. Those that aren't have probably been convinced they can't. We can do better with that. I believe that once you have high standards and high expectations, there is an unlimited number of things that can be done. But I also believe that there have to be consequences.... [I]f you want the standards movement to work, first you have to do the hard work in deciding what it is you expect children to learn. But then you have to have an assessment system, however you design it, in your own best judgment at the state level, that says, "no more free passes." If you want people to learn, learning has to mean something. That's what I believe. I don't believe you can succeed unless you are prepared to have an assessment system with consequences.

In Arkansas in 1983 when we redid the educational standards, we had a very controversial requirement that young people pass the 8th grade tests to go on to high school. And not everybody passed it. And we let people take it more than once. I think it's fine to do that. But even today, after 13 years, I think there are only five states in the country today which require a promotion for either grade to grade or school to school for its young people.... The worst thing you can do is send people all the way through school with a diploma they can't read.... [Y]ou will never know whether your standards are being met unless you have some sort of measurement and have some sort of accountability....

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

[W]e shouldn't kid ourselves. Being promoted ought to mean more or less the same thing in Pasadena, California, that it does in Palisades, New York....

I was always offended by the suggestion that the kids who grew up in the Mississippi Delta in Arkansas, which is the poorest place in America, shouldn't have access to the same learning opportunities that other people should and couldn't learn. I don't believe that. I think we should begin with a concrete standard for reading and writing because the most troubling thing to me is that we've been through a decade in which math and science scores have risen and reading scores have stayed flat. Intel recently had to turn away hundreds of applicants because they lacked basic reading and writing skills. Secretary [of Education Richard] Riley says that every child should be able to read independently by the end of the third grade. And parenthetically, that if that were the standard, I think we would be more successful in getting parents to read to their children every night, which would revolutionize the whole system of education anyway.

"We have to have a system that rewards and inspires and demands higher standards of teachers"

* * *

The second thing I think we have to do is to face the fact that if we want to have these standards for children, standards and tests, we have to have a system that rewards and inspires and demands higher standards of teachers. They, after all, do this work. The rest of us talk about it, and they do it. So that means that first of all, you've got to get the most talented people in there. There's been a lot of talk about this for a decade now, but most states and school districts still need work on their certification rules. We should not bar qualified, even brilliant young people from becoming teachers. The Teach For America group in my home state did a wonderful job, and a lot of those young kids wind up staying and teaching, even though they can make two and three times as much money doing something else. Every state should, in my view, review that. I also believe any time you're trying to hold teachers to higher standards they should be rewarded when they perform. I know that in South Carolina and Kentucky, if schools markedly improve their performance, they get bonuses and the teachers get the benefit. That's not a bad thing; that's a good thing, and we should have more of that.

I want to thank Governor Hunt for the work he's done on the National Board for Professional Teaching Standards. We had the first group of teachers who are board certified in the White House not very long ago. Every state should have a system, in my opinion, for encouraging these teachers to become board certified. The Federal Government doesn't have anything to do with that. Encourage these teachers to become board certified because they have to demonstrate not only knowledge but teaching skills. And when they achieve that level they should be rewarded. There should be extra rewards when they do that.

We also need a system that doesn't look the other way if a teacher is burned out or not performing up to standard. There ought to be a fair process for removing teachers who aren't competent, but the process also has to be much faster and less costly than it is. I read the other day that in New York it can cost as much as $200,000 to dismiss a teacher who is incompetent. In Glen Ellyn, Illinois, a school district spent $70,000 to dismiss a high school math teacher who couldn't do basic algebra and let the students sleep in class. That is wrong. We should do more to reward good teachers; we should have a system that is fair to teachers but moves much more expeditiously and much more cheaply in holding teachers accountable. So state and school systems and teachers' unions needs to be working together to make it tougher to get licensed and recertified, easier and less costly to get teachers who can't teach out of the classrooms, and clearly set rewards for teachers who are performing....

* * *

The third thing I think we have to do is to hold schools accountable for results. We have known now for a long time that the most important player in this drama besides the teachers and the students are the school principals.... And yet, still, not every state has a system for holding the school districts accountable for having good principals in all these schools and then giving the principals the authority they need to do the job, getting out of their way and holding them accountable, both on the up side and the down side. To me, that is still the most important thing. Every school I go into, I can stay there about 30 minutes and tell you pretty much what the principal has done to establish a school culture, an atmosphere of learning, a system of accountability, a spirit of adventure. You can just feel it, and it's still the most important thing.

Secondly, the business community can do a lot of work with the governors to help these school districts reinvent their budgets, I think. There are still too many school districts spending way too much money on administration and too little money on education and instruction. And there needs to be some real effort put into that, that goes beyond rhetoric. I mean, I was given these statistics, which I assume are true because I had it vetted four different times—I hate to use numbers that I haven't—if it is true that New York City spends $8,000 a student on education, but only $44 goes to books and other classroom materials, that's a

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

disgrace. That's wrong. And that's true in a lot of other school districts. We cannot ask the American people to spend more on education until we do a better job with the money we've got now....

Let me also say I think we ought to encourage every state to do what most states are now doing, which is to provide more options for parents.... I'm excited about the idea that educators and parents get to actually start schools, create and manage them, and stay open only if they do a good job within the public school system. Every charter school I visited was an exciting place. Today, 21 of you allow charter schools. There are over 250 schools which are open; 100 more are going to open next year. Freed up from regulation and top-down bureaucracy, focusing on meeting higher standards, the schools have to be able to meet these standards if you impose them....

* * *

Let me just mention two other things briefly. I don't believe you can possibly minimize ... how irrelevant this discussion would seem to a teacher who doesn't feel safe walking the halls of his or her school or how utterly hopeless it seems to students who have to look over their shoulders when they're walking to and from school. So I believe that we have to work together to continue to make our schools safe and our students held to a reasonable standard of conduct, as well....

And one of the primary targets I would have if I were a local leader trying to redo my district budget is to reduce the amount spent on administration so that I could invest more money in keeping it open longer hours, especially for the latch-key kids and the other kids that are in trouble that don't have any other place to go. So that's something that I think is very important. Finally, let me just echo what Governor Miller said about the technology. We did have a barnraising in California, and we hooked up actually more than 20 percent of the classrooms to the Internet on a single day. But we need every classroom and every library in every school in America hooked up to the Internet as quickly as possible. We set a goal as the year 2000; we could actually get there more quickly....

I believe that this meeting will prove historic. And again, let me say, I thank the governors and the business leaders who brought it about. In 1983, we said, "We've got a problem in our schools. We need to take tougher courses. We need to have other reforms." In 1989 we said, "We need to know where we're going. We need goals." Here in 1996, you're saying you can have all of the goals in the world, but unless somebody really has meaningful standards and a system of measuring whether you meet those standards, you won't achieve your goals. That is the enduring gift you have given to America's schoolchildren and to America's future.... □

The Washington Monthly

JOURNALISM AWARD

FEBRUARY 1996

The Washington Post

Both Congress and the Clinton administration have used verbal pressure and fiscal restraints to hamper federal agencies' ability to enforce government regulations. The unsettling results, meticulously documented by the *Post* in a four-part series, include corner-cutting by the Environmental Protection Agency in its enforcement of the Clean Air Act and the Occupational Safety and Health Administration's inability to ensure the safety of many workplaces.

City Limits (New York)

Taking a rotting movie theater as an emblem of an urban neighborhood's thwarted potential, Glenn Thrush uses vivid turns-of-phrase to document how a "Tammany-in-training-wheels political structure" has created entrenched political fiefdoms that keep East New York mired in poverty.

The Indianapolis Star

In a five-part series on special-interest donations to the Indiana state legislature, the *Star* detailed which groups' money pushed or pulled the state's lawmaking process, and succinctly identified what was missing from the political process: "Democracy. Or at least the spirit of democracy—the expectation that public servants will make laws with the good of everyday Hoosiers in mind."

The Monthly Journalism Award is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including two copies of the article or broadcast text) to Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, DC 20009. Nominations for April stories are due May 10.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

On Political Books

Don Quixote With a Badge

How one New York cop took on the system—and paid the price

BY DONALD E. GRAHAM

Crusader: The Hell-Raising Police Career of Detective David Durk
James Lardner, *Random House, $25*

Does this break the record for conflicts of interest in a single book review? I know and admire both the subject of this biography and its author. So you're not getting an objective review, but you are getting an honest opinion: This book is a thoroughly deserved vindication of a surpassingly brave and honest man. It's also a hell of a fine book.

David Durk had two micro-seconds of national fame around 1970. An Amherst graduate serving as a New York City police officer, he traveled to bitterly anti-war, anti-police college campuses trying to recruit students to become police officers. He had some success, perhaps because students sensed the presence of someone with even more wild-eyed idealism than they had. Soon thereafter, Durk and his (then) friend and colleague Frank Serpico were the culminating witnesses in the Knapp Commission hearings into police corruption in New York City:

"The average cop, he testified, longed to be honest, but was convinced that 'he lives in the middle of a corrupt society.' The police department had become 'a home for the drug dealers and thieves', in which 'men who could have been good officers, men of decent impulse ... were told in a hundred ways every day: go along, forget about the law, don't make waves....

'But being a cop also means to be engaged with life ... Being a cop is a vocation, or it is nothing at all, and that's what I saw being destroyed by the corruption of the New York City police department, destroyed for me and for thousands of others like me.'"

This is the story of an unusually honest man who joined an unusually dishonest police department. David Durk is a worldly Don Quixote, a man who knew exactly what he was up against but made the charge anyway. Without important, permanent allies, a single police officer took on the systematic corruption of the nation's largest police department and, later, of New York itself.

The result was inevitable: The city chewed him up and spat him out. He never held an "important" job (certainly never a high-paying one). He had prolonged conversations with three mayors about the extent of corruption. Each was intrigued; each thought of giving him some kind of responsibility; none did. When the department retired him, no one would even lift a finger to see that he received a normal pension. (His was cut to $17,000 a year by a bureaucratic quirk.) And yet, you could argue that in Durk's battles against the city, Durk won as many as he lost. One almost wackily incorruptible man really did create some lasting change.

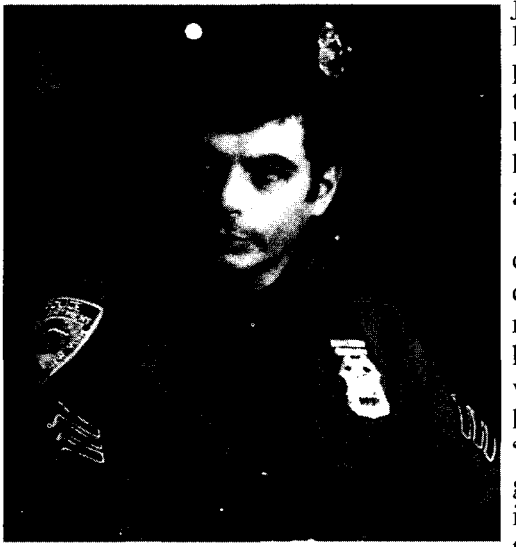
The New York City Police Department in the 1960s didn't just contain some dishonest cops: It was grossly and systematically corrupt, from top to bottom. The newly arrived Officer Durk was assigned horrible jobs despite excellent work. He asked why and was told to pay off the officer making assignments. On his first day on the job he gave a parking ticket to Toots Shor, the restaurant owner, and found himself walking a foot beat under the West Side Highway. He was offered

Donald E. Graham is publisher of The Washington Post. *He was a D.C. police officer from 1969 to 1970.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

food, liquor, and money as part of the regular arrangement. The stores, bars, restaurants, and illegal establishments paid off everyone in the precinct—sergeants, lieutenants, and captains took their shares. Durk refused.

After years of this, Durk met another cop, Frank Serpico, who was equally honest. The two of them, Durk taking the lead, revealed the extent of police corruption to the highest officials of John Lindsay's administration; no action. So Durk organized a flanking move: He and Serpico went to *The New York Times*. After a remarkable Durk-arranged meeting, in which half a dozen police, including an inspector, a captain, Durk, and Serpico, briefed top editors on police corruption, David Burnham of the *Times* wrote the story. The Knapp Commission conducted an investigation, and a reforming commissioner was appointed. Business as usual changed—at least somewhat, at least for a while.



Then, the usual pattern of Durk's life took over. Redford and Newman were going to do a Butch-and-Sundance movie about him and Serpico. It didn't happen. The two hero-cops fell out. A movie made a hero out of Serpico (he was, and deserved it) and an unattractive minor figure out of Durk (to me, a horrible injustice —read Lardner's account and draw your own conclusions).

So Durk remained a cop, widely loathed, detailed to a progression of departments, and a pain in the ass to a succession of bosses. Mayors and department heads kept looking for a quiet place to put him. He was sent to look into the payment of cigarette taxes and found millions of dollars being lost to the city through corruption and payoffs. He looked into famous city stores helping customers evade sales taxes on purchases of jewelry, furs, and art—and found that 90 percent of such purchases were mailed out of town to avoid tax (what was mailed was often an empty box). Finally, no one would give him another job, and he retired. Suspicious, competitive, and inflexible, he had lost his last department-head friends.

His solace is the publication of this book —and what a book it is. James Lardner may not be Cervantes, but in some respects he may be as good a biographer as the expiring century could have produced for Durk. Lardner is an ex-police officer. He worked as a reporter for *The Washington Post* and for many years as a *New Yorker* staff writer. And in *Crusader* he pulls off the difficult job of remaining completely true to the reader while presenting Durk in his own terms. The author is honest; but, oh rare biographer, he has not lost the capacity for admiration.

As they say in diving competitions, in degree of difficulty this biography ranks near the top. I would have described Durk as, well, indescribable. Take his conversational style: "Feeling a need to cram a great deal of information into what was, inevitably, too little time," Lardner writes, "David would dispense with the transitions and explanations that might have served to put his listeners at their ease...he often failed to say whether something had happened 15 years ago or last week. A newcomer to the experience might feel like Dorothy traveling by cyclone in The Wizard of Oz: every so often, a familiar element would pass through the conversation (asbestos ... Trump ... gypsy cabdrivers ... The Queens DA's office ... Colombian hit men) but the connections between them were not always evident."

Durk always wanted another job, but he did not want to reach for it. Old colleagues would arrange job interviews for him, and Durk would speculate to a potential new boss about what he might do if he found corruption in the official's own office. Modern Don Quixotes don't injure only the windmills.

This splendid book is a wonder of two kinds: It is a complete vindication of David Durk and a treat for any reader lucky enough to turn its pages. For students of one of *The Washington Monthly*'s perennial subjects, the behavior of people in bureaucracies, *Crusader* should not be missed. □

Don Hogan Charles

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mozart & Salieri

The rivalry—and friendship—that dominated the modern political era

BY RICHARD REEVES

Kennedy & Nixon: The Rivalry that Shaped America
Christopher Matthews, *Simon & Schuster, $24.50*

The title of this book, *Kennedy & Nixon,* promises a great deal and delivers a good deal: the fascinating coincidences and conflicts in the lives of the 35th and 37th presidents of the United States, the two young Navy lieutenants who came to Washington as congressmen in the 1946 elections and were assigned offices across the hall from each other.

Christopher Matthews, once a congressional staffer and now an all-purpose pundit, has a fine political eye and loves to tell a good story. This is a wonderful telling. He mixes some golden oldies with original material gathered in 50 or so new interviews with politicians who knew destiny's tots as their relationship progressed from a casual friendship to confrontation at the highest level.

The story of their different styles, hopes, and fears can be seen in the photographs each of them used in their 1946 campaigns. Lieutenant (senior grade) Nixon showed himself standing at attention in his dress blues. Lieutenant (junior grade) Kennedy is in the cockpit of his boat, PT-109, grinning, shirtless, wearing sunglasses and a fatigue cap. Which one would you want to spend time with?

As Matthews describes them: "John F. Kennedy was handsome, debonair, witty, wealthy ... He was by any measure the most beloved president of modern times ... He possessed an innate ability to be liked, to have people want him as a friend, lover, son, brother, leader.... He had the gift."

"Richard Nixon won four national elections and might have won a fifth [Matthews seems to believe that the 1960 Presidential election was stolen from Nixon].... Yet he could not best John F. Kennedy.... Bereft of spontaneity, he drafted and rehearsed his speeches for hours. Ill at ease, he briefed himself before even the most casual of meetings." In marvelous but overstated shorthand, Matthews is too kind to Kennedy and too cruel to Nixon, characterizing them as "a Mozart against a Salieri."

But whatever the charms or lack thereof of Kennedy and Nixon, the author cannot deliver on the book's subtitle: "The Rivalry That Shaped Postwar America."

The thesis of the book, widely accepted these days, is that Nixon was obsessed with Kennedy and his ease of acquisition and ascent, and that Nixon destroyed himself by trying to be what he was not—crashing first in pursuit of Kennedy's dazzling company, and then of his many secrets. That may be roughly true, though I think this claim and reports of the men's friendship are both exaggerated. But neither the rivalry nor the pursuit made America what it was in those days or these.

In fact, the rivalry was political. It involved ambition and image. Substantively, in terms of governing as opposed to speechmaking and wisecracks, there was not a great difference between the two young men in competition, as Matthews puts it, "to be the great young leader of post-World War II America."

Each did extraordinary things, but neither shaped America—America and the concerns of the day shaped them. Matthews, who has a gift for recognizing the telling political moment, telegraphs the ironic and eventually limited nature of the rivalry between two ambitious and calculating

Richard Reeves, author of President Kennedy: Profile of Power, *is working on a book about the presidency of Richard Nixon.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

moderates when he describes their 1946 campaigns for the House of Representatives. Kennedy of Massachusetts called himself "a fighting conservative." Nixon of California advertised his "progressive liberalism." In the end, these fascinating political rivals both governed within the liberal anti-communist consensus of their time. Remember, JFK defeated RN by saying he would be tougher than the Republicans in dealing with communists in Cuba and in China. Domestic issues? There seemed to be none, except for some odd restlessness among the "Negroes." And Kennedy's Inaugural Address was devoted entirely to foreign affairs.

At the White House: April, 20, 1961

Associated Press

That said, *Kennedy & Nixon* was a hell of an idea for a book. Matthews, who toiled for the late Speaker of the House Thomas "Tip" O'Neill Jr., has made good use of his experience and congressional contacts to bring the House of the 1940s to life in this setting. Kennedy and Nixon were both more friendly and more likable before the stakes of their game got higher and higher.

But this "friendship" goes mostly one-way. Nixon is the one pursuing Kennedy. He wants to be his friend. Kennedy, as careless as Daisy Buchanan, is not looking for friendship. He lives to be pursued and to accept or reject the suitor as it serves his interests or amuses him. Poor Dick Nixon.

I enjoyed this book, particularly the new anecdotes that Matthews has engagingly extracted from people I would have thought interviewed-out or who have been ignored for all these years. The most amazing of them, at least to me, came from an interview with Evan Thomas Jr., the Washington bureau chief of *Newsweek*, about his father, who edited Kennedy's book, *Profiles in Courage*.

There have always been stories speculating on the intrigue and the process that led to Kennedy's winning the Pulitzer Prize for history in 1955, a prize of incalculable political value for a young Senator of no great distinction. Thomas tells Matthews that Kennedy called his father, Evan Sr., before the prize juries met and even before the book was published, and said: "We've got the Pulitzer!"

Thanks to Matthews, I now know enough about the relationship between Kennedy and Nixon. But I would love to hear more about Kennedy and that Pulitzer. There have been 40 years of stories that Kennedy did not actually write the book. But to win a Pulitzer before anyone, including Pulitzer judges, had read it? *That's* bad news—or great politics. □

YOU CAN HELP

Know of a newsstand or library that should carry the *Monthly* but doesn't?

Heard any great *Tidbits and Outrages*?

Seen any hysterical *Memos of The Month*?

Please write to us at 1611 Connecticut Ave., NW, Washington, D.C. 20009, or at twmeditors@aol.com. Address newsstand and library information to Rebecca Gray. All other correspondence should be marked, "Editors."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Lost at Sea

How the Reagan-era Navy sold taxpayers—and its own officers—down the river

BY SCOTT SHUGER

Fall From Glory: The Men Who Sank the U.S. Navy
Gregory L. Vistica, *Simon & Schuster, $27.50*

When it comes to the military, American publishing has an interesting blind spot. The battlefield, from Crane to Wouk, through Caputo and O'Brien, has long produced interesting, salable novels, as well as a fair helping of fine non-fiction. And if you're interested in hardware, there are the story-lined weapons manuals of Tom Clancy and his ilk. But there's another dimension of our military machine: the bureaucracy. Despite such contributions as Bob Woodward's *The Commanders* and Colin Powell's autobiography, the organizational behavior and thinking of the contemporary U.S. military remain sadly underreported.

The main reason for this is that the smarties of Manhattan deem organizational behavior to be "dull," even when the organization has the expanse and power to change or end all of our lives. Woodward and Powell got around this by being Woodward and Powell, and by having a hot war as their news hook. But ordinarily, anyone trying to pitch a book about, say, how the peacetime U.S. Navy thinks and works would end up knee-deep in rejection slips. (I know. I tried. And I was.)

Thank God for Tailhook. By using the 1991 scandal as his touchstone, Gregory Vistica was able to sell and write just such a book. Vistica, now with the Washington bureau of *Newsweek*, broke the story of the Las Vegas assaults—and the Navy's apathetic reaction to them—while he was a reporter for the *San Diego Union*.

This bureaucratic study opens at the 1986 Tailhook Convention at the Las Vegas Hilton, with Reagan's first Secretary of the Navy, John Lehman, lying on his back with a naked woman gyrating over him. C. Northcote Parkinson was never able to come up with a lead like that.

I found *Fall From Glory* a fascinating read—not just because I don't find bureaucracy dull, but also because I was in the Navy for part of the period it covers. (I was on active duty from 1978 to 1983; Vistica goes from the Reagan build-up to the present.) I even knew some of the officers who figure in the tale, most notably Jack Snyder, the rear admiral for whom Tailhook whistleblower Paula Coughlin worked. After the media identified Coughlin, she said she had complained to Snyder the very next morning about being sexually assaulted and that he had brushed her off. This scenario was the basis for one of the Navy's very few disciplinary actions in the case: Dozens of thuggy aviators went unpunished, but Snyder was fired.

At the time, I remember thinking that Snyder's alleged insensitivity didn't sound like the man I had known. Indeed, Vistica provides evidence that Coughlin didn't make Snyder fully aware of what happened to her. (It's undisputed that once she did, he started contacting superiors on her behalf.) The bureaucratic point of this is that in the Navy, lines of imputed responsibility for events occurring beyond headquarters tend to fall arbitrarily on the rank of rear admiral and below. After all, if there were grounds for censuring Snyder, the case against Chief of Naval Operations Frank Kelso—who personally witnessed the debauchery at the Hilton and did nothing—was far stronger. But Kelso successfully held out for retirement on schedule, with a full four-star admiral's pension.

If you think this approach to naval accountabili-

Scott Shuger is a contributing editor of The Washington Monthly.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ty has changed, consider this: Just a few weeks ago, a man named James Barry wrote a piece in *The Washington Post* based on his years as an instructor at the Naval Academy. He related his experience of that institution's "culture of hypocrisy, one that tolerates sexual harassment, favoritism and the covering up of problems." Despite a recent major drug scandal at the Academy, its four-star superintendent remains in place.

I never served in Washington, where *Fall from Glory* is primarily set. I was deployed overseas on carriers with an aircraft squadron. Out on the carriers, trivial as well as catastrophic screw-ups were a near-daily occurrence. But ultimately those of us in the Fleet believed both that the leadership would watch out for our best interests and that the dangers we were regularly exposed to were necessitated by a truly awesome threat—the Soviet Navy. Vistica's point, in a nutshell, is: Boy, were we wrong!

Lehman and his cronies concocted a false picture of the Soviets as ready, able, and willing to take on the U.S. Navy anywhere in the world.

Through extensive reporting and documentary research (which included fighting for and winning access to the 22 boxes of John Lehman's private files in Navy custody), Vistica shows how Lehman and his cronies concocted a picture of the Soviet Navy as an aggressive and well-equipped blue-water outfit ready, willing, and able to take on U.S. ships anywhere in the world—even though there was ample evidence to the contrary inside the naval intelligence community. The reason? To bulk up the Navy's share of the defense budget. Vistica details how Lehman's drive to the Six-Hundred-Ship Navy rolled roughshod over reams of naval attaches' personal observations about materiel and personnel problems in the Soviet Navy, as well as U.S. Navy and CIA findings that the Soviets didn't aggressively deploy their naval forces and didn't intend to. Lehman could keep all this information under wraps by labeling it "Top Secret."

My own experience tends to support Vistica here. In naval intelligence school, I learned that in 1975 the Soviet Navy had conducted a fairly large open-ocean naval exercise called OKEAN. We were trained to be on the look-out for signs of subsequent, even bigger exercises of this sort. But year after year, despite regular predictions from the naval intel big boys in Washington, we never saw anything like OKEAN. Instead, our fleet message traffic was dominated by reports of Soviet ships in port and at anchor. In fact, in my entire naval career, which included two lengthy carrier cruises, I never saw a Soviet warship!

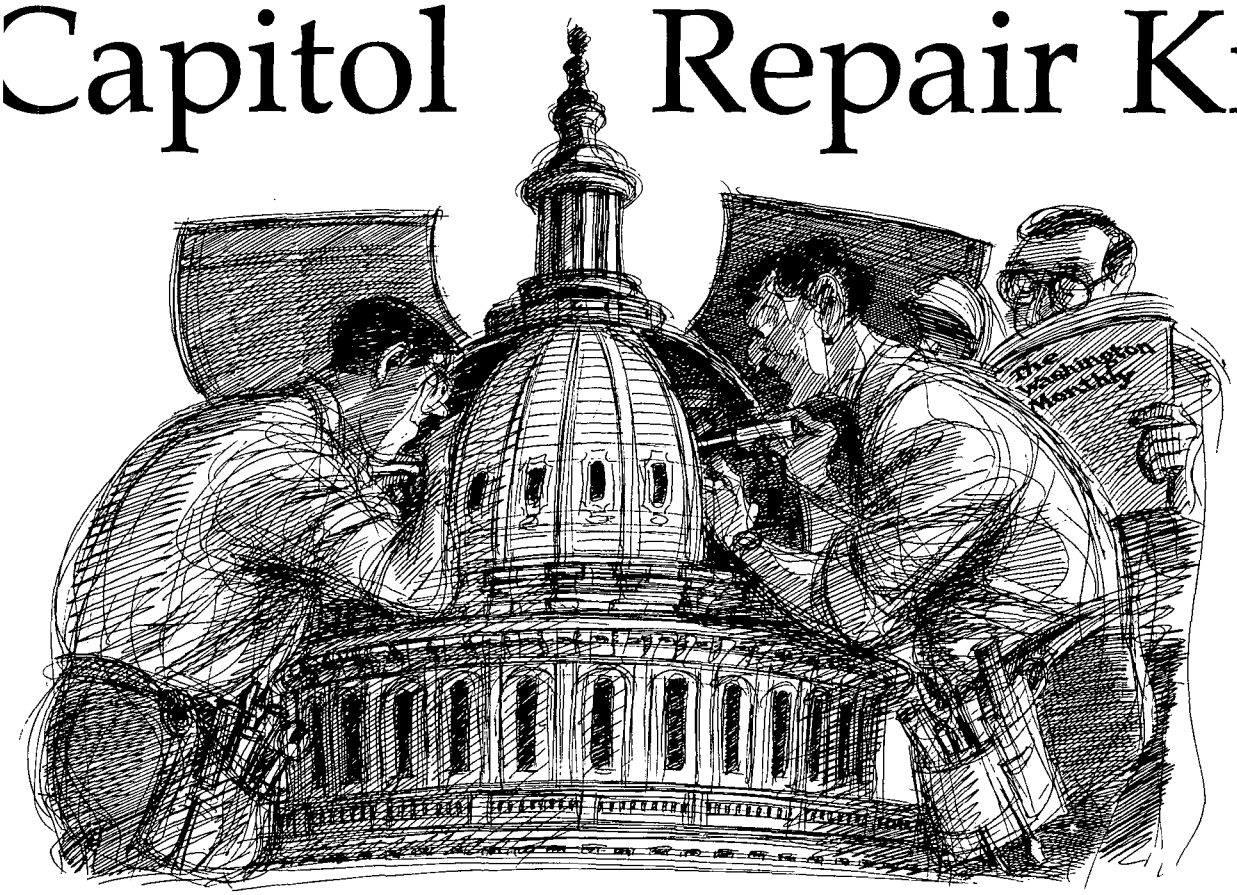
Because even peacetime carrier operations are dangerous, Lehman's kind of threat inflation inevitably means unnecessary death. (On one of my cruises, we lost two airplanes in one hour.) Speaking of which, Vistica reveals that the Navy knew that its primary fighter, the F-14, was crashing at a shocking rate because it was badly underpowered and had balky flight controls, but didn't fix it. Under Reagan and Bush, the Navy decided not to put better engines or an available spin-resistant control system into the plane. Instead, money was spent on the F/A-18 fighter-bomber—which is neither as good a fighter as the F-14 nor in many respects as good a bomber as the A-7 it replaced—and on a proposed stealth bomber that was canceled when the Pentagon found out the Navy was lying about its true cost. In Washington, money gravitates to what's new, even if the pre-existing thing is plenty capable.

The errors of the drive to 600 ships and of Tailhook and its investigation flow from a single source: The Navy's Washington-based leadership tends to focus on power, status, and perks, and in the process almost invariably forgets the true purpose of the institution. (Vistica recounts how Lehman virtually used the Navy as his personal flying school, and his pages are littered with stories of service big-shots putting tax dollars to work purely for their own benefit.) You can cover up a Tailhook only if you forget that in a war, naval officers like Paula Coughlin have to be able to trust the men they serve with. You can ignore serious safety problems plaguing your main fighter plane only if you forget that the plane's combat ability, and not the Navy's share of the defense budget, is the name of the game.

If the Navy were truly reality-based, it would take this book to heart and study it carefully. But that doesn't seem to be happening. Don't, for instance, try to find *Fall from Glory* at the bookstores of the Naval Academy or the country's major naval bases. It isn't there. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Capitol Repair Kit



While Washington burns with partisan rhetoric, we cool the air with clear-headed, innovative solutions to some of the nation's most unyielding problems. And we have fun doing it. **The Washington Monthly** explores the quirks, cons, and paralysis that too often underpin American politics—then we offer a sensible way out. *The New York Observer* says we are the magazine "to which anyone who gives a damn about this country must subscribe."

SUBSCRIBE NOW AND SAVE!

❑ YES! Enter my subscription for a full year (10 issues) to **The Washington Monthly** for only $29.50.

Name _____

Address _____

City _____ State ___ Zip _____

❑ Payment enclosed ❑ Bill me later

Charge my ❑ VISA ❑ MasterCard

Credit Card # _____ Exp. _____

The Washington Monthly

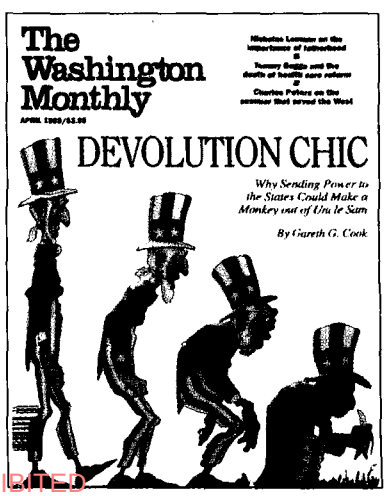
Box 587

Mount Morris, IL 61054

For Canadian and other foreign subscriptions add $7. Please remit U.S. funds.

A6501

"... holds up a deadly accurate mirror to the Washington political culture, exposing its hypocrisies, stupidities, and unexpected triumphs." —*Chicago Tribune*



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Political Booknotes

They Only Look Dead: Why Progressives Will Dominate the Next Political Era
E.J. Dionne Jr.
Simon & Schuster, $24
By James Fallows

One year ago the most prominent Republican spokesmen were Newt Gingrich and Rush Limbaugh, each of whom carried the message that government was inherently bad. Now the party's nominee is Bob Dole, its most vigorous stump orator is Pat Buchanan, and its dreamed-of savior is Colin Powell. In different ways, each of these men conveys the message that government has a necessary and even beneficial role. Dole has devoted his whole working life to legislative deal-making; Buchanan urges that the federal government protect Americans from foreign products and immigrants; Colin Powell worked in and ultimately led the nation's largest public bureaucracy. As part of the military's recovery from Vietnam to Desert Storm, Powell illustrates the difference between a branch of government run poorly and one run well, and how a government-imposed change in rules—desegregation and then affirmative-action in the military—can create new opportunities for genuinely talented individuals.

This shift in Republican symbolism may be an early confirmation of the trend that E.J. Dionne predicts in *They Only Look Dead*, which was completed last year while Gingrich, Limbaugh, Dick Armey, and Phil Gramm were still riding high. (Disclosure: I have known Dionne for years.) The book's argument, in essence, is that today's Republicans have fundamentally misread Americans' real attitudes toward government. Americans say they fear, mistrust, and resent government, especially the federal government. But this is nothing new. With the rare exception of the mid-1930s through the mid-1960s, when the federal government seemed the bulwark against world depression, the Nazis, and the Soviet Union, Americans have almost always said they felt this way. Yet even as they complain about federal power, they have relied on it heavily, for functions ranging from building canals and highways to providing medical care for retirees.

Today's Republicans, Dionne says, have made the mistake of pushing an abstraction—America's theoretical hatred of government—much further than people, in reality, want it to go. "The new conservatism will fail," Dionne concludes, " ... because it seeks to define away almost all the problems that Americans want politicians to grapple with." The first sign that the Republicans had overreached came with their sweeping proposals, now muted, to scale back environmental regulations. Dionne argues that the faith in unregulated markets and "devolved" government symbolized by the Contract With America, is out of sync with the problems on the minds of American voters.

In the first part of his book Dionne outlines those problems, calling them the "four crises" of modern political life. They are: an economic crisis, marked by global capitalism and a widening wealth gap; a political crisis, with both parties failing repeatedly to deal with obvious public problems from welfare to schools; a moral crisis, mainly involving pressures on family structure; and a foreign-policy crisis, because America has not yet figured out its international role.

Having laid out these problems in a competent if not ground-breaking way, Dionne then spends 200 pages explaining in detail why the Republicans—torn by conflicts well illustrated in this year's primaries—and the Democrats—who have struggled to seem more than a convention of interest groups—have had trouble dealing with them.

I see these chapters as mainly a warm-up to the most original and valuable part of his book, a closing essay on how liberalism should reconceive itself to match its message with the times. Dionne uses the term "progressivism" to describe the political movement of the future, but he is not just trying to squirm away from the unpopular word "liberal." Instead he argues that today's political landscape greatly resembles the circumstances that brought the original Progressives to power a century ago. The strongest similarity is the widespread sense that the unregulated market is placing stress on individuals, families, and even the natural environment in ways that only a central rule-maker—that is, the federal government—can offset.

Dionne makes a negative case for the inevitable rise of new-progressive solutions, which is that the conservative strategy "*has been tried before and found wanting*" (his italics). "The new laissez-faire," he explains, "is simply Gilded Age conservatism dressed up in the finery of a high-tech age." But he also makes a positive argument, which comes across as original and even inspiring. He rebuts

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the contention of many Republicans that there is a difference only of degree, not of basic nature or purpose, between democratic self-government and a totalitarian regime. "Between our New Deals and New Frontiers and Great Societies," Dick Armey has written, " ... you will find, with a difference only in power and nerve, the same sort of person who gave the world its Five Year Plans and Great Leaps Forward—the Soviet and Chinese counterparts." Dionne replies that, at its best in American history, government has been a tool not of more oppression but of more liberty. This has meant, he says, "the use of government to give men and women the tools needed for positive liberty, beginning with free elementary and secondary education and moving in the Depression and postwar era to Social Security, unemployment compensation, and access to college and to health insurance."

The end of the book is an exhortation to ascendant "Progressives" always to think in terms of expanding liberty, and a list of suggestions about what, in specific, such a program might contain. Most of the measures he recommends will be reassuringly sensible to readers of this magazine, including using market incentives to make public programs more efficient. Dionne does not pretend that he has solved the problem of reconceiving government's role. But he has given us much to think about.

James Fallows is Washington editor of The Atlantic Monthly *and a contributing editor of* The Washington Monthly.

The Ends of the Earth: A Journey at the Dawn of the Twenty-First Century
Robert D. Kaplan,
Random House, $22
By Geraldine Brooks

It's hard to think of a more eclectic journalist than Robert D. Kaplan, nor one who has so relentlessly followed his own interests into the earth's odd corners when the attention of the foreign policy establishment was elsewhere.

The subjects of Kaplan's books have ranged from starving Eritrean secessionists to embattled Afghan warriors to fat-cat Arabists of the U.S. State Department. Sometimes, his inquiries have proven stunningly influential, such as *Balkan Ghosts: A Journey Through History*. Kaplan began his inquiry into the historical roots of the Yugoslav crisis before the war, when the subject languished in the fogs of Foggy Bottom. By the time his book appeared in 1993, however, the thirst for understanding of the conflict was so strong that the Clintons and Colin Powell read the book avidly and allowed it to shape their thinking on involvement.

President Clinton is also said to have carried around a heavily underlined copy of Kaplan's 1994 *Atlantic Monthly* article "The Coming Anarchy," which is in many ways a distillation of the central thesis of his ambitious new book, *The Ends of the*

SEARCH AND DESTROY

African American Males in the Criminal Justice System
Jerome G. Miller

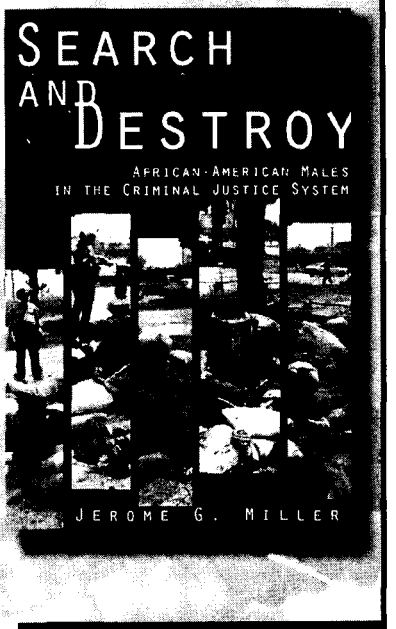
"Jerry Miller's Search and Destroy *is a riveting and important exploration into the criminal justice system in America today and its impact on young African American males. Everybody should read it and decide how to devote more energy to keeping our young men out of the criminal justice system. Something is wrong with the values of a nation that would rather spend far more to lock up children than spend far less to give them a Healthy Start, a Head Start, a Fair Start, a Safe Start, and a Moral Start in life."*

– Marian Wright Edelman, President, Children's Defense Fund and author of *The Measure of Our Success: A Letter to My Children and Yours.*

"This book constitutes a powerful warning for all of us. Jerry Miller has spent a lifetime understanding our criminal justice system. He has worked to make it more progressive and more just. He has watched as it turned into a system of segregation and control for many Americans of color. That is the story told here in devastating detail. If we are to truly know what we have become as a society we have to face the story told between the covers of this book."

– Bill Kovach, Nieman Foundation, Harvard University

46021-2 Hardback $24.95



Available in bookstores or from

CAMBRIDGE
UNIVERSITY PRESS

40 West 20th Street, New York, NY 10011-4211 Call toll-free 800-872-7423
MasterCard/VISA accepted. Prices subject to change. Web site: http://www.cup.org

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Earth.

But if the historical determinism of *Balkan Ghosts* soured Clinton on Bosnian intervention and helped delay U.S. involvement, the policy implications of *The Ends of the Earth* are harder to extract and even harder to implement. Kaplan's long journey takes him along the coast of West Africa, down the Nile, across Turkey's Anatolian plain, through Iran and the emerging nations of Central Asia, briefly into Western China, and then on to Pakistan, India, Vietnam, Laos, and Cambodia.

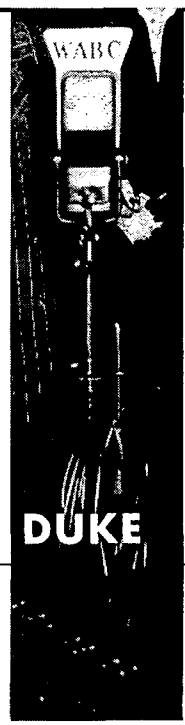
In the first chapter, he admits that his journey was, in the end, too extensive to yield neat answers. "At the beginning of my journey, I was naive. I didn't yet know that answers vanish as one continues to travel, that there is only further complexity, that there are still more interrelationships and more questions."

Yet Kaplan does himself an injustice. He does fly home with some powerful observations and conclusions. They aren't packaged neatly in the final chapter, which reads a little as if Kaplan wrote it hastily, on deadline, in one of those reporter's moments of hair-tearing frustration when the computer search-key is malfunctioning, the index cards just blew out the window, and someone has tidied your notebooks so that you can't find anything.

Instead, the book's most enduring messages are seeded throughout the text, in powerful, stereotype-shattering passages. And none of its conclusions will likely be palatable to an administration that has steered clear of global environmental leadership, has aped previous administrations' easy demonization of Iran, and is in rapid retreat from all those reaches of the poor world with no place in the global market.

Kaplan had the option of covering less ground and digging more deeply into each culture. But I, for one, am glad he opted for this sprawling trek. I would rather have its odd encounters and epiphanies than a neater journey and a pat conclusion.

Most of the time, Kaplan traveled hard, with no more baggage than a notebook and a backpack, taking local buses or simply walking. He explains why as he starts his journey in West Africa and disparages the air-conditioned four-wheel-drive Toyota Landcruiser—the vehicle in which diplomats, U.S. congressional delegations, top Western relief officials, and even most reporters from well-heeled news organizations slip easily through road-blocks and the quotidian discomforts of ordinary existence. "[S]uspended high above the road and looking out through closed windows, your forehead and underarms comfortably dry, you may learn something about Africa. Traveling in a crowded



NEW FROM DUKE

The Spectacle of History: Speech, Text, and Memory at the Iran-contra Hearings
Michael Lynch and David Bogen
352 pages, 8 b&w photographs, paper $18.95

New in Paperback
The Constitutional Logic of Affirmative Action
Ronald J. Fiscus
Stephen L. Wasby, editor
With a New Foreword by Stanley Fish
176 pages, paper $14.95

Media Marathon: A Twentieth-Century Memoir
Erik Barnouw
280 pages, 30 b&w photographs, cloth $22.95

Violence as Obscenity: Limiting the Media's First Amendment Protection
Kevin W. Saunders
256 pages, paper $17.95

Duke University Press Box 90660 Durham, NC 27708-0660 http://www.duke.edu/web/dupress/

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

public bus, flesh pressed upon wet, sour flesh, you learn more...But it is on foot that you learn the most. You are on the ground, on the same level with Africans rather than looking down at them."

Kaplan has been criticized for spending too much time reading old tomes on the countries he visits and peering at their ancient monuments rather than talking to ordinary people. In this book, his encounters are uneven. He talks to many West Africans, even more Anatolians and Iranians. But in Central and South-East Asia he turns mainly to his guides and to foreigners to supplement his reading and acute observation.

Even so, it is possible to argue that wide reading and attention to those monuments which have an enduring place in a culture can be as revelatory as a rich personal encounter. If anything, most reportage from the kinds of places Kaplan visits is bedeviled by the opposite sin—that of assuming the history of a country or conflict began on the day that the reporter's foreign desk first noticed it.

The profound ahistoricism of most inhabitants of the United States isn't shared by the rest of the world. In many places, such as Iran and the Balkans, what happened yesterday is far less important than what happened a century or millennium ago. Kaplan defends his dusty library of neglected references: "The more I read about a place and about issues that affect it, the more I feel I am traveling alone...reading can transport you to places that others only a few feet away will never see."

In Iran, where he lingers longest, he discovers what is so obvious to anyone who has spent any recent time there, and so tragically elusive to those such as Warren Christopher and his Iran "experts"—none of whom has set foot in the country since 1979. In tea houses, men and women mingle. On the street, banners no longer deplore the "Great Satan" but espouse the need for birth control. In the pavilions of Isfahan, the scaffolding that used to hide paintings of buxom women sipping wine has come down. A government official tells that "anti-Americanism is completely gone from Iran. The hardliners only posture now." From all this, Kaplan concludes that in the 1990s, "the Iranian landscape finally stopped shaking and a new equilibrium could be discerned." He concludes that the Iranian revolution's "worst perversities may actually be behind it, while the reckoning for the U.S. favorites of the moment, Egypt and Saudi Arabia, might still be due."

In Egypt, Kaplan studies the Aswan High Dam, which has caused the salination, waterlogging, and erosion of agricultural land even as the Egyptian population soars. He concludes that Egypt may fall to fundamentalism not only because its U.S.-supported government is blind and deaf to the need to curtail corruption and stop stuffing ballot boxes, but because resource scarcity and climactic shift "could eventually produce political chaos on a truly biblical scale."

Almost everywhere, Kaplan sees similar potential environmental holocausts already ignited and about to flare: in the falling forests of West Africa and Thailand; in the industrial wastes poisoning Central Asia; in Pakistan's dry faucets; in China's still-growing population, despite the world's most coercive birth control. One is reminded of Al Gore's remarks, just after taking office, to the environmental writer Bill McKibben: "We are in an unusual predicament as a global civilization. The maximum that is politically feasible, even the maximum that is politically imaginable right now, still falls short of the minimum that is scientifically and ecologically necessary."

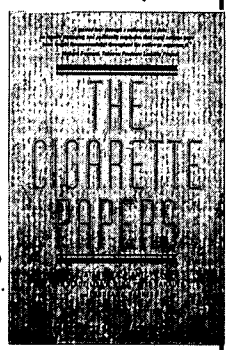
Kaplan believes that the current U.S. retreat into a "fortresslike nationalism" can only be a temporary one; that imported diseases, environmental degradation and tidal waves of eco-

ISSUES & ANSWERS

The Cigarette Papers

Stanton A. Glantz, John Slade, Lisa A. Bero, Peter Hanauer & Deborah E. Barnes

Foreword by C. Everett Koop



"The most revealing look we have at the cynicism and 'profit at any price' mindset of the tobacco industry.... Extraordinary."

—Joseph A. Califano, Jr., President, Center on Addiction and Substance Abuse, Columbia University, and former Secretary of Health, Education, and Welfare

$29.95 cloth, illustrated

The Activist's Handbook

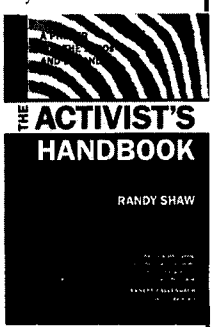
A Primer for the 1990s and Beyond

Randy Shaw

"A unique book, wise, realistic, and enormously valuable for anyone interested in social change."

—Howard Zinn, author of *A People's History of the United States*

$50.00 cloth, $17.95 paper



At bookstores or order 1-800-822-6657

UNIVERSITY OF CALIFORNIA PRESS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Buzz Words

"An exciting new magazine...sparkling, truly zippy...a high-powered wow."
—*The Washington Times*

"...just a thrill. I can't believe how much good stuff you've gathered together."
—John Stossel, ABC News *20/20*

"I actually read nearly all the pages, which I only do with a handful of magazines."
—Gregg Easterbrook, *Newsweek*

"...absolutely splendid. So alive." —*Reader's Digest*

"...Intellectually aggressive..." —*The Washington Post*

"America's finest magazine of culture, politics and economics..."
—*Seattle Times*

Find out what they're buzzing about...Free.

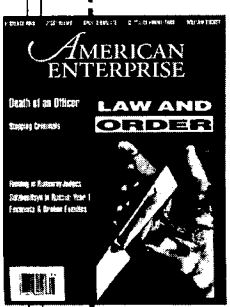
Active, influential people don't have time to dig through truckloads of weekly newsmagazines and political journals. Yet they know that keeping well-informed is critical to keeping up. What they need is an intelligent, one-stop source that brings them news and interesting analysis of today's most important political, economic and social trends.

Welcome to *The American Enterprise*, the most invigorating journal of thought and opinion in America today.

THE AMERICAN ENTERPRISE

We feature lively writing on serious topics from writers like William Bennett, Daniel Patrick Moynihan, Charles Murray, Irving Kristol, Marvin Olasky, Ben Stein, Christina Hoff Sommers, Florence King, Thomas Sowell, Mickey Kaus, Michael Barone, Stanley Crouch, Eugene Genovese, Alan Keyes, Barbara Dafoe Whitehead, George Gilder, Michael Medved, Dinesh D'Souza, and Paul Johnson. Concise, enjoyable-to-read information on the direction of American society.

THE NATIONAL MAGAZINE OF POLITICS, BUSINESS, AND CULTURE



Complete this form and we'll send you a free issue of *The American Enterprise*.

If you like what you see and want to subscribe at the special rate of $28 a year, return a completed invoice.

If you decide *The American Enterprise* isn't for you, just write "cancel" on your invoice. That's all there is to it. The free sample is yours to keep.

Send me a **FREE** issue at no obligation.

Name .....

Address .....

City .....

State/Zip .....

AM6WMO

Clip and mail to *The American Enterprise*, P.O. Box 2013, Marion, OH 43306-2013
or call 1-800-596-2319 or fax 614-382-5866

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nomic refugees will force us "to realize that we inhabit one increasingly small and crowded earth."

But Kaplan might be less sanguine if he took his rucksack and notebook and tried to talk his way past the security guards of one of the "gated communities" proliferating right here in the United States. Fortresslike nationalism that won't crumble before this still-spreading fortresslike suburbanism does. For now, U.S. citizens are in full retreat from the fact that we inhabit one increasingly crowded country. Until we are willing to fund our own inner-city schools and hospitals, I don't hold out much hope for the shanty towns of Sierra Leone.
Geraldine Brooks is the author of Nine Parts of Desire: The Hidden World of Islamic Women.

Life Without Father
David Popenoe
The Free Press, $25
Divorce: An Oral Portrait
George Feifer
The New Press, $25
By William A. Galston

For years, many traditional liberals considered the phrase "family values" little more than code for right-wing intolerance. When Dan Quayle attacked Murphy Brown, they inferred that he was less interested in promoting stable homes for children than in inflaming the prejudices of conservative voters.

There are signs, however, that the issue of family stability is becoming less partisan and more national. President Clinton devoted portions of his last two State of the Union addresses to the issues of teen pregnancy and out-of-wedlock birth. Both the President and the First Lady have expressed doubts about the ready availability of divorce, especially when young children are involved. As this review goes to press, legislators in Michigan and Iowa are pressing for significant changes in the no-fault divorce laws they enacted two decades ago—having rightly concluded that too-easy divorce hurts children and is unfair to many long-married women. Other states may well follow suit.

These are encouraging trends, because the family should be at the epicenter of public concern. These two books help explain why.

David Popenoe's thesis is that "life without father" is on the rise and that this hurts not just children, but adult women and men as well. First, he documents a trend of increasing fatherlessness. Thirty percent of all births are out-of-wedlock, six times the rate in 1960. And between 1960 and 1980, the rate of divorce rose nearly 250 percent before stabilizing at slightly below its peak. Today, about half of all marriages end in divorce (the rate for remarriages is even higher), and close to 40 percent of all children do not live with their biological fathers.

Popenoe links these trends to changes in public attitudes. Only 18 percent of Americans believe unhappy couples should stay together for the sake of their children, compared to about half of Americans in 1960.

Many parents who get divorced sincerely believe that they are doing the right thing for their children. In some cases they are right—especially in marriages involving high-intensity conflict (physical abuse or extreme emotional cruelty). For the most part, however, recent research suggests that they are mistaken. Following divorce, the economic well-being of children (and custodial parents) declines on average by 20 to 30 percent and remains depressed for years afterwards. Even after correcting for income and pre-divorce conflict, the children of divorce are on average worse off along numerous dimensions: educational performance, economic attainment, emotional stability, homicide, and suicide, to name just a few.

It is harder to generalize about the effects of divorce on adults. The human face of these broken unions emerges vividly in the interviews George Feifer has assembled in his "oral portrait" of divorce. Divorced couples, psychotherapists and social workers, counselors and mediators, divorce lawyers and family court judges, policy experts and law professors—they're all in this book, speaking with often painful candor about their experiences. Some of the interlocutors believe their marriages might have endured in a culture less hospitable to divorce. Others are grateful for the opportunity to have escaped, with relative ease, stifling or abusive relationships. Some strike me as blindly self-centered, others as enormously unlucky. Is it possible to shape policies that restrain the former without entrapping the latter?

No doubt cultural attitudes are the most important factor in limiting divorce. In the 1950s, divorce carried a significant stigma; it dimmed the national political prospects of Adlai Stevenson and Nelson Rockefeller. The next generation, however, saw divorce as honest and liberating. California Governor Ronald Reagan, himself a divorced man, enthusiastically signed into law the nation's first no-fault divorce statute. A decade later, Reagan waged, without evident irony or political damage, a presidential campaign based largely on "traditional values."

Although culture is dominant, public policy is also relevant. (Recent research suggests that no-fault divorce laws have independently increased divorce rates.) Popenoe suggests a range of initiatives that could help stabilize families: increased economic support for childrearing families; welfare reform that focuses on family integrity, not just requiring welfare recipients to work; and legal/regulatory encouragement of family-friendly neighborhoods. He also suggests a two-tier system in which marriages without minor children could be easily dissolved: those involving minor children could be broken only by mutual consent, or pursuant to a showing of fault by one party, and only after a waiting period, education, counseling,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and mediation.

We may argue about the details. But the overall thrust makes eminent sense. "Most parents divorce because of conflict between themselves that doesn't affect the kids that much," Gary Sandefur is quoted as saying in Feifer's book (Sandefur is the co-author, with Princeton's Sara McLanahan, of the best recent study of the effects of divorce on children.) "If the mothers and fathers stayed together, they might not particularly enjoy themselves, but the kids would be better off."

If Sandefur is right, and both evidence and common sense suggest he is, then we must discard conveniently harmonistic views of family life. In many cases there may be a tension, not only between husbands and wives, but also between adult gratification and the well-being of children. This tension poses a deep moral challenge: As a society, are we prepared to give the interests of children a higher priority, even if that means increased investments of material resources and greater limits on the freedom of adults?

William A. Galston is a professor of political science at the University of Maryland.

The High Priests of American Politics: The Role of Lawyers in American Political Institutions

Mark C. Miller

University of Tennessee Press, $30

By Robert F. Nagel

Much of what passes for intellectual ferment is just the clamor of professors fighting their way back to understanding what ordinary people outside of universities had never doubted in the first place. Hence even useful academic writing is sometimes strikingly anti-climactic.

This book is a case in point. Apparently, by studying legislative voting patterns, social scientists have managed to convince themselves that lawyers have no special influence on the political process. Sensibly enough, Miller notes that there are many more subtle ways in which the legal profession might be having an effect. He sets out to study, for example, the extent to which lawyers control decisionmaking procedures, the vocabulary and methods of debate, and even our legislators' sense of what is possible. He concludes, not surprisingly, that lawyers wield great power.

Even if his conclusion will not exactly stun most Americans, some of Miller's data will convince them that the situation is even worse than they feared. Did you know that in the 1980s lawyers were governors in as many as 66 percent of the states? That 25 of the 41 presidents have been lawyers? Or that of the 18 people in Clinton's cabinet in 1993, 13 were lawyers?

It gets worse. Miller recounts how heavily lawyers are represented in Congress, state legislatures, regulatory agencies, lobbying groups, public interest organizations, influential academic posts, and, of course, the judiciary.

One of Miller's most interesting—and depressing—findings is that lawyers tend to be unrealistic and uncritical in their attitudes towards judges. Lawyers, for example, are more likely than other legislators to believe that judicial interpretations are not political. They are less likely to respond to judicial excesses by trying to limit judges' power. And the most prestigious lawyer-legislators, such as those who sit on the Senate Judiciary Committee, are actually so entranced by the model of "The Judge" that they talk and act as if they themselves were jurists.

Our system was built on the idea that power cannot be trusted—that ambition must be used to check ambition. To an astonishing extent, this principle has not worked with federal judges, who go merrily on their way enjoying ever more prestige even as they abuse their role. Miller helps us

"This is a book for everyone who wants to understand how American democracy really works."—**Gary C. Jacobson**, University of California, San Diego.

SENATORS ON THE CAMPAIGN TRAIL

The Politics of Representation

By Richard F. Fenno, Jr.

Volume 6 in the Julian J. Rothbaum Distinguished Lecture Series

The author traveled with ten U.S. senators as they campaigned in their home states—using what he calls the "drop in/drop out, tag along/hang around" method of research—to present a developmental picture of their activities. Fenno has been able to offer rare insights into campaigns and elections, insights very different from conventional ones that concentrate on the behavior of voters. His twelve previous books on the Congress and other political subjects include the award-winning *Home Style: House Members in Their Districts*, for which this book is a long-awaited sequel.

$22.95

From your bookseller, or

University of Oklahoma Press

Dept. MAV1—1005 Asp Ave.—Norman, OK 73019
(Telephone: 1-800-627-7377)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

understand why. The legislative branch that is supposed to help check judicial excesses has been infiltrated by the same legalistic vocabulary and value system that fuels judges' behavior. Even more worrisome is Miller's suggestion that this lawyers' ideology now "resides in the minds of Americans": To the extent that we have all become lawyers, there is no one to keep judges in check.

Miller is concerned about a broader danger than the loss of control over the judicial branch. He describes the lawyers' mindset as being too incremental, too nit-picking, and too procedural. This, he argues, legitimates whatever system is in place and reduces our capacity for imaginative, bold changes. But this fear does not fit well with some of Miller's own observations. Were the 25 lawyers who Miller says signed the Declaration of Independence apologists for the status quo? Was Abraham Lincoln so stunted by his legal training that he could not sustain a brave vision or undertake decisive acts?

No. The problem that legalism presents for democracy probably lies elsewhere. Miller gets closer to it when he describes how President Clinton miscalculated on the issue of gays in the military. Miller says Clinton, viewing the question through the eyes of an attorney, saw only a clear constitutional issue and overlooked public opposition. In the same vein, Miller describes lawyer-politicians as "free agents" who tend to operate independently from political parties, interest groups, and even their constituents. It is this—the lawyer's tendency toward intellectual arrogance and myopia—that is the real threat. While legal training has many virtues, it does impart an instinct to argue rather than to discuss, to prevail rather than to coexist, and to confuse the advocate's preferences with "law." The lawyer's vice, in short, is imperiousness, which is a serious flaw in a system that rests on the consent of the governed. But then, most Americans already know this. At least they do when they are not engaged—amidst the shrill and cynical public debate that has come to dominate our bleak political landscape—in behaving like lawyers themselves.

Robert F. Nagel teaches law at the University of Colorado. He is the author of Judicial Power and American Character: Censoring Ourselves in an Anxious Age.

The Mexican Shock: Its Meaning for the U.S.

by Jorge G. Castañeda
The New Press, $23
By Ken Silverstein

It's hard now to remember, but just a few years ago Mexico was deemed by many people to be the economic superstar of the Americas and a nation poised to enter the ranks of the First World. A 1992 dispatch from Reuters called Mexico "a model for economic recovery in the developing world" and cheerfully described its leaders as being "at ease offering advice" to other Latin American countries seeking the path to economic growth.

Mexico's appeal as a "model" has dimmed significantly since the peso collapsed in December 1994. Some 2 million Mexicans have lost their jobs, inflation has climbed to an annual rate of more than 50 percent, and thousands of small businesses have shut their doors. In *The Mexican Shock*, Mexican political scientist Jorge Castañeda seeks to explain what went wrong and to lay out a modest economic and political blueprint for the country's future.

Of course, as Castañeda points out, the idea of Mexico as a model has always been ludicrous. While U.S. government officials (and reporters) waxed eloquent about Mexico's soaring stock markets and respect for free markets, most Mexicans were getting poorer. Real salaries in Mexico fell by an estimated 40 percent between 1988 and 1994. During the same period, the number of Mexican billionaires jumped to 24, about five times the number of them in Canada.

Also overlooked during the "boom" years was the gross corruption of Mexico's political elite, most notably that of former President Carlos Salinas and his family. Salinas retired in 1994 as one of the world's richest men. Clearly, his enormous wealth was not due to a modest presidential salary; the bribes that greased the privatization of state firms was only one example of the corruption. The ex-president's older brother, Raul, recently was revealed to have European bank accounts brimming with tens of millions of dollars in unexplainable funds. His sister was just arrested for similarly shady dealings.

Besides the inherent instability of a corrupt regime with such extremes of wealth and poverty, Mexico under Salinas also crept along despite the Achilles' heel of a seriously overvalued peso. Imports to Mexico were absurdly cheap and exports ridiculously expensive, leading to an enormous trade deficit of $30 billion in 1994. The country also had a huge foreign debt and some $9 billion in annual interest payments that further depleted its reserves.

As long as foreign investors, mostly from the U.S., poured money into Mexican stocks and bonds, the false prosperity continued. But when the value of the peso plummeted—it now trades at about 7.5 per dollar, down from 3.45 before 1994—foreign investors pulled their money out and Mexico promptly went bankrupt. The Mexican model, Castañeda writes, "was doomed to failure. The only question was how long it would take."

Castañeda is rightly critical of the villains in this story—the "cheerleaders abroad," he calls them. This includes "whiz-kid brokers and venerable investment firms" who made vast sums of money in the Salinas years by peddling risky Mexican securities. More intriguing is the cheerleading role of U.S. officials who, in their zeal to sell NAFTA to a very skeptical American public, carefully concealed

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mexico's economic problems. Back in April of 1994, Lawrence Summers, the number two man at the Treasury Department, told reporters that he was "encouraged about the situation in Mexico," a country which he said had a "fundamentally sound currency."

On that very same day, Summers, in a private memo to then-Treasury Secretary Lloyd Bentsen, warned that a "variety of political and economic factors have contributed to a volatile and uneasy atmosphere in Mexico" which could be expected to produce a "long period of volatility." The prescience of this memo was revealed when Mexico's economy abruptly collapsed months later.

As interesting as it is to parse this history, Castañeda's primary goal is to provide a blueprint for the future. He correctly paints a dialectical relationship between economic and political reform: The absence of democracy in Mexico is "not just a political drawback, but one of the principal causes of the glaring social inequalities that plague Mexico." Closing the gap between rich and poor is not only morally correct policy but also essential to both economic and political reform. If current trends continue, investors may have more than the Chiapas rebels to worry about.

As Castañeda suggests, it's hard to be optimistic about such a program being implemented, especially with the ruling Institutional Revolutionary Party (PRI) maintaining its nearly seven decade-long hold on power. The problem in Mexico (and all of Latin America), Castañeda argues, is that "any attempt at reducing the wealth, power and impunity of elites, be this attempt democratic or authoritarian, conservative or revolutionary, has inevitably provoked their wrath and reaction."

It's also hard to be optimistic about U.S. strategy, which historically has preferred "stability" under the PRI to political reform. This attitude was perfectly captured during a conference on Latin America put on by the Pentagon a few years ago; conferees found relations between Mexico and the U.S. to be "extraordinarily positive," but identified a dark cloud looming on the horizon: "A 'democracy opening' in Mexico could test the special relationship by bringing into office a government more interested in challenging the U.S. on economic and nationalist grounds."

Ken Silverstein is co-editor of CounterPunch, *a Washington, D.C.-based newsletter.*

Second Coming: The New Christian Right in Virginia Politics

Mark J. Rozell and Clyde Wilcox
Johns Hopkins University Press, $32.95

By Alan Greenblatt

John Warner's bid this year for a fourth Senate term has turned into an ugly episode of "This Is Your Life," with all his old enemies lining up to greet him. He may be the commonwealth's most popular politician, but within Republican Party power circles he has become a whipping boy. In the midst of the national GOP resurgence, Virginia Republicans have suffered some humiliating setbacks in recent years, and they blame their losses on the patrician Warner, who has failed to support GOP candidates such as Iran-contra figure Oliver North.

John Warner is the type of politician who unabashedly brags about his clout and proudly shows off a painting by Winston Churchill that hangs in his office. Warner has compiled one of the most conservative voting records in the Senate, but he cuts the kind of establishment figure cultural conservatives love to hate.

At a prayer breakfast in Richmond this past January, North said that one of the main qualifications he sought in any contender for this year's Republican primary is that he doesn't live at John Warner's home address. Mike Farris, the home schooling advocate who ran unsuccessfully for lieutenant governor on the GOP ticket in 1993, has repeatedly told reporters, "We've got a sickness in our party and that sickness is named John Warner."And erstwhile Supreme Court nominee Robert Bork has endorsed former Reagan budget director Jim Miller, Warner's rival in the June 11 primary. Bork has referred to Warner, one of six GOP senators to oppose Bork's confirmation in 1987, as a "supposed Republican" who cannot be trusted to stand by conservative principles.

Much of the blame for recent Republican failures, however, rests not with Warner but rather with the Christian Right, which has brought new activists into the GOP fold but also saddled the party with some unelectable candidates. In *Second Coming*, Mark J. Rozell and Clyde Wilcox provide a useful background look at the stars aligning this year against Warner. The book is an illuminating case study in how the Christian Right's insistence on ideological purity sometimes works against the GOP's best interests.

In a book happily free of both bias and academic jargon, Rozell and Wilcox show how social conservatives, motivated by their hostility to abortion, federal education standards, and gun control, have managed to overwhelm the remaining moderate party regulars in the Virginia GOP nominating process.

The authors portray the Christian conservative movement with a much more varied face than the boyish Ralph Reed and his Christian Coalition, the group the media uses to provide feature stories about the movement or comments about abortion.

In his "Contract With the American Family," a manifesto of the Christian Coalition's policy objectives, Reed downplays abortion, listing it somewhere below Individual Retirement Accounts. Although the Virginia-based group turns cranky whenever the Dole campaign floats the name of a potential pro-choice running mate,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the Christian Coalition does not publicly press for a constitutional ban on abortion, knowing that such a move would be unpopular and thus counterproductive.

But local organizations in Virginia and elsewhere are not always so pragmatic. "Quite simply, the new Christian Right elites have staked out positions that are unacceptable to the majority of Virginia voters in most elections," Rozell and Wilcox write. A candidate strongly identified with the Christian Right can create a powerful backlash among the general electorate. North, for example, ran with a Bible in his hand, declaring every word of it literally true, and managed to lose against a weak Democratic incumbent amid record turnout.

In 1993, Farris had tried to run away from his past as a former Moral Majority official by distancing himself from previously published statements and legal opinions. (After losing a case at the Supreme Court, Farris had said, "It is time for every born-again Christian to get their children out of public schools.") In the midst of a statewide GOP landslide, Farris lost.

Conservatives have already won the fight for control of the GOP. The difference on most issues between conservative candidates and even the most moderate hopefuls tends to be a matter of degree—whether you would allow abortions in cases of rape and incest, for example. Republican pollsters are warning clients this year that they will have to tone down their rhetoric on such issues as abortion, the environment, and education if they want to hold on to suburban voters, maintain their congressional majority, and win the White House. But members of the Christian Right, having been burned for years by Republican politicians who pay them lip service and then ignore them once in office, are no longer willing to split the difference.

Just as the National Rifle Association insisted on a House vote to repeal the ban on assault-weapons, even when such a move could hurt the candidacy of Bob Dole, members of the Christian Right remain unwilling to swallow hard and back a candidate whose positions they find unacceptably soft—even if he stands a strong chance of winning in November. The people attracted to politics by a North or Farris candidacy tend to see the world in absolute terms and are unwilling to accept that compromise is part of the process. As Rozell and Wilcox write, "Many Christian social conservatives [are] unwilling to turn the other cheek, preferring to defeat Warner [in the primary] even if it [means] a loss for the GOP in November."

Alan Greenblatt covers politics for Congressional Quarterly.

Combat: Twelve Years in the U.S. Senate
Warren Rudman
Random House, $27.50
By Ross K. Baker

Just as I was finishing a review of Bill Bradley's autobiography, what should

Paul Robertson

Meet the man America's hate groups hate most of all...

AND LISTEN TO HIS TERRIFYING WARNING.

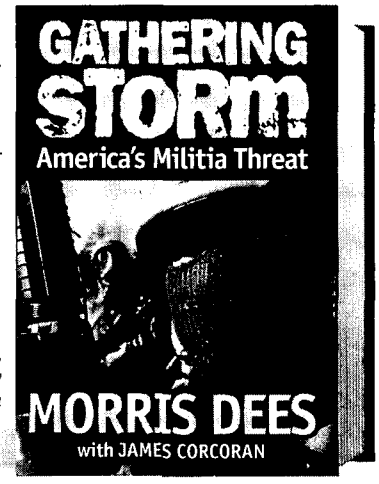
Since 1979 Morris Dees' Klanwatch Project has dared to infiltrate, expose, and litigate against America's radical right. Now, in *Gathering Storm*, he reveals the findings of his undercover investigations, naming names and tying terrorist acts to the secret racist groups that inspired them.

"**This chilling exposé** gets deep inside the paranoid mentality of anti-government hate groups."
—*Publishers Weekly* (starred review)

"**This startling book** casts a bright light on the dark underside of American life."
—Arthur Schlesinger, Jr.

"**A riveting wake-up call.**"
—Jimmy Carter

"***Gathering Storm*'s chilling pages** reveal the dark society that would turn the American dream into an American nightmare."
—Leon Uris, author of *Trinity* and *Redemption*



HarperCollins*Publishers*
Also available from HarperCollins*Canada Ltd*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cross my desk but the memoir of retired Senator Warren Rudman. In light of the unprecedented number of senatorial retirements, I get the uneasy feeling that I will be facing an eternity of these reviews. Imagine the mysteries to be solved: What, for example, was going through Howell Heflin's mind when those telltale hairs appeared on Clarence Thomas's can of Coke? And what tales could Sam Nunn tell of avaricious defense contractors and the various presidents who have snubbed him?

Warren Rudman, the New Hampshire Republican who retired in 1992, is not one you'd think to deliver a thoughtful and remarkably candid account of two terms in the Senate. Not because Rudman is not thoughtful and candid—he is surely both, in spades—but because he comes across as a kind of hands-on type, too busy getting things done to reflect in writing.

But *Combat*, a book whose title is an allusion both to the night patrols that Rudman led as a young infantry officer in Korea as well as the *mano-a-mano* in the U.S. Senate, is perceptive and revealing. Rudman found himself in the U.S. Senate in 1980, the first Republican-majority Senate in 26 years. Even more significant, it was the year that such liberal heroes as Frank Church of Idaho, Birch Bayh of Indiana, and George McGovern of South Dakota were replaced by three conservatives named Symms, Quayle, and Abdnor. It was in this latter company that Warren Rudman found himself.

It didn't take long for Rudman, formerly the attorney general of New Hampshire, to discover that the Republican Party in 1980 was an odd place to be for a pro-choice Jew and supply-side skeptic. On the other hand, he had little in common with his neighbor from the other side of the Merrimac River, Ted Kennedy, and the other lords bountiful of the welfare state. Rudman could not abide deficits, and eagerly supported the Reagan budget cuts. For a time, he even allowed himself to be swept along on the Laffer Curve, but his enthusiasm for that fiscal gimmickry came to an abrupt halt when Reagan married it to a huge defense buildup.

The arch-villain of this weapons binge was Secretary of Defense Caspar Weinberger, whom Rudman saw as an evil enabler who encouraged the armed services to press for everything on their wish list, although Rudman does concede Reagan's defense spending probably did bankrupt the Soviets.

But Weinberger's wind was not so ill as the one blown by OMB Director David Stockman. Rudman sees him as a kind of Professor Harold Hill, a cornbelt thimblerigger with the power to bamboozle the president. Reagan comes across as a credulous old man whose disbelief was in a permanent state of suspension. Rudman speaks kindly and admiringly of him, but there is a distinct undercurrent of pity in his adoring words. For Stockman, Rudman has nothing but contempt, and he disguises it poorly.

Rudman organizes this book by touching on the high points of his Senate career. Three episodes stand out. Of the Keating Five, an investigation which Rudman helped oversee as vice-chairman of the Ethics Committee, he finds Alan Cranston to be "far and away the one acting most improperly." He virtually exonerates John Glenn and John McCain, and admits ruefully that the committee sacrificed them to public bloodlust. I quite agree. Of Dennis DeConcini he has nothing good to say, portraying him as vain, slippery, manipulative, and ultimately treacherous.

Rudman also co-chaired the Iran-Contra Committee, and he details the episode in spare and lucid prose that would convince even the most inattentive citizen that Oliver North was an ass in lion's skin, a world-class bungler with nothing but contempt for the Constitution. Here again, Rudman offers a vivid portrait of Reagan, insinuating that the president was already well along his tragic path to senile dementia.

The third major episode in Rudman's career was the confirmation of his old friend David H. Souter to the Supreme Court. More than his other accomplishments, this will most likely have enduring consequences. Souter comes across as one member of the Court with whom you'd

really
card-c
mento
with th
of Rud
Senate
place t
up soc
Frists
usually
to have
and tal
on the
uinene
and us
Ross K
scienc

Enfor
Stake
Joel A
Univer
By Do
It's no
Enviro
out of
tested
but en
the EP
waste
ing the

Sinc
cials, i
results
agency
Speake
EPA a
Repub
that en
enforc
of it, r
plish."

Tho
ideolog
in sma
defend
much i
the EP
that pr
cussion

As
comple
unders

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

securing a clean environment for everyone—is perhaps the most ambitious of any government agency. It is a job so vast that it will always remain partially undone. Second, the nation has provided the EPA with little guidance beyond the exhortation to "clean the environment." The devil lies in deciding just how clean, how soon, and at what price. But Congress and presidents have been of little help, piling detailed and conflicting requirements on the EPA, consistently underfunding the agency, and wrenching the EPA's throttle from "full speed ahead" through "go slow" to "all stop"—and back again.

Third, even when the EPA has known clearly what it wanted to do, it has never been sure how to do it. Enforcement strategies have varied widely, from aggressive regulation in the early Nixon days through weak oversight in the Reagan years to the more recent development of new government-business partnerships.

Combine an impossible job with a mushy mission, unstable leadership, and too little money to accomplish everything an ambitious Congress has laid out for it, and it's little wonder that the agency continues to struggle.

Mintz argues convincingly that an overambitious mandate and uncertain leadership are problems the EPA is probably stuck with. It would be nice if Congress decided, once and for all, what it really wanted and how to get it, and if presidents consistently appointed good, well-meaning people to the EPA. It would also be nice to have an honest national debate on the future of entitlements and the social roots of crime, but we won't get that either. At the core, the American people want conflicting things, and their elected officials simply reflect these conflicts.

Where the EPA can improve is in devising an enforcement strategy that meets legal standards, minimizes costs, and still ensures a decent environment. The EPA has to move from asking "What should we do?" to asking "How should we do it?"

Unfortunately, as Mintz points out, the EPA has a poor record translating ambitious goals into reality. In cleanup programs like Superfund, the billions of dollars spent have produced little payoff—largely due to inadequate oversight of an army of contractors.

One of Mintz's suggestions is that the EPA take a "good cop/bad cop" approach to enforcement: provide industry with technical assistance and incentives for good behavior and take strong legal action if a business misbehaves. This combination, if smartly played by the EPA, could produce environmental improvements at lower costs and be effective with a relatively small enforcement staff.

But case-by-case decisions—which is what this system would rely on—could be trouble. The EPA's high staff turnover robs it of institutional memory and would make big discrepancies inevitable. Philip Howard, author of *The Death of Common Sense,* would have regulators use their judgment and do what's reasonable. But "reasonableness" is tautological—what is best is reasonable, what is reasonable is best. We still don't know how to get there.

There are no one-shot answers, but there are many tactics that, when combined, could make a real difference for the EPA. It can improve its compliance assistance efforts and work harder at producing better information on environmental performance—both the EPA's and industry's. The agency can work to break down the artificial boundaries—and cut out waste—among "media" offices focusing on air, water, waste, and toxic materials. It can build the administrative competence to ensure effective management of the agency's contracting empire. Perhaps most importantly, the EPA should take its critics' long-standing advice to weigh risk and cost-benefit analysis in rulemaking and enforcement.

None of this, of course, is easy, and it certainly is not cheap. Which takes us back to those rascal Republicans. Unlike actual or promised casualties of the war on big government, such as the Interstate Commerce Commission and the Commerce Department, the EPA is simply impossible for them to kill—or even to torture obviously. Everyone wants clean air and drinkable water. No one wants toxic sludge oozing onto children's playgrounds. Republicans know that.

But, if the EPA is simply too popular for a frontal attack, there are other ways to wage war against government regulations. The easiest is to sneak in through the back door by hobbling enforcement—and that's exactly what Republicans want to do, proposing to cut the agency's enforcement budget by 20 percent. It's a smart, if insidious, strategy. Rather than directly assaulting environmental policy, they go after the "bureaucrats" who are putting it into practice. Without good enforcement, as Moses discovered in leading the Israelites out of Egypt, the best of commandments go for naught.

But the GOP has also unintentionally shone the spotlight on the most complicated, difficult, and important step in the regulatory process. By targeting enforcement, they have precisely identified the key to the EPA's future. If the agency beats back budget cuts and meets the challenge of improving enforcement, it could not only survive the "revolution" but emerge as a stronger and more effective agency.

Donald F. Kettl is professor of political science at the University of Wisconsin-Madison and a senior fellow of the Brookings Institution.

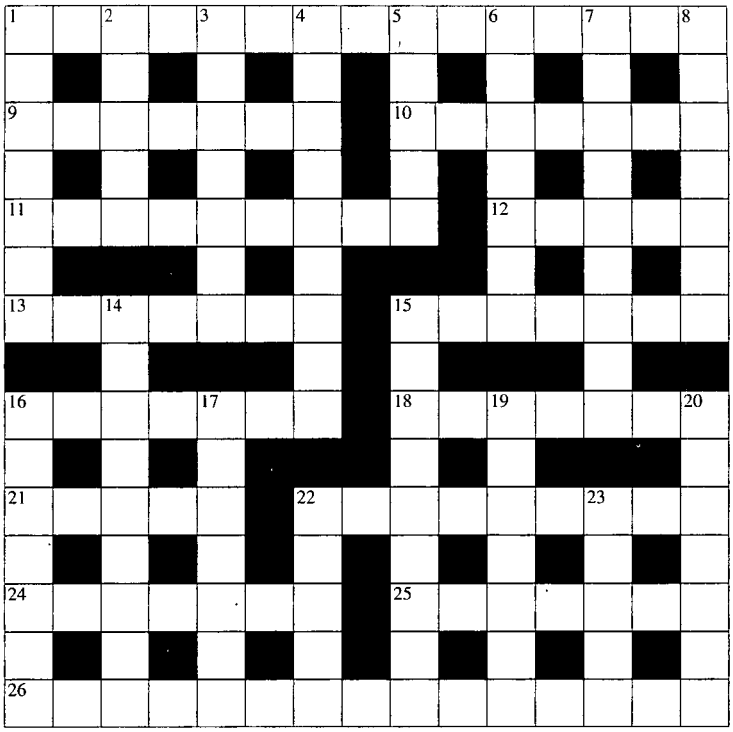
Have a problem with your subscription? Send a note to Rebecca Gray, The Washington Monthly, 1611 Connecticut Ave., NW, Washington, D.C. 20009

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Political Puzzle

BY JOHN BARCLAY

The numbers indicate the number of letters and words—thus (2,3) means a two-letter word followed by a three-letter word. Groups of letters, such as USA, are treated as one word.



Across

1. Make canny voter point out Summer event. (5,10)
9. Entertained shaking a red leg. (7)
10. Weird cult don fell short. (7)
11. Intel half broken up before December 21. (2,3,4)
12. Unexpected losing start of race from Greek Island. (5)
13. S&L goals slipped from the tongue. (7)
15. Temple site located in deep he's using regularly. (7)
16. Steady flow around center of troughs is hebdomadal event. (7)
18. Tin lamp manufactured as cosmetic component. (7)
21. Tends to prefer diets? (5)
22. Relax Aden turmoil for former Russian leader. (9)
24. Copy a time it changes. (7)
25. Lost Met breaks streaks. (7)
26. Longer tale niece spun for Fall event. (7,8)

Down

1. Pictures in first half of game create division. (7)
2. Republican preferred alternative to presidency? (5)
3. Alarmists publish magazine in lean years. (7)
4. Stir and stir oil badly with end of knife. (3,6)
5. Outspoken Tennessee player in West Coast state? Just the opposite! (5)
6. Supply good food and shun Rio stew. (7)
7. Move inside on a Muslim country. (9)
8. Advertisements for negative desserts. (7)
14. Procedure making poor eat in. (9)
15. Disturb male pride on the outside. (9)
16. Weighty Swiss hero mixing gin. (7)
17. Praised rampant unhappiness. (7)
19. Cash alternative, clasp it carefully. (7)
20. Runs differently in weight and excites. (5,2)
22. Tossing movie part? (5)
23. Capital place to eat, we hear. (5)

Answers to last month's puzzle:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The pulse of the world from the heart of the nation.

Don't miss a thing. Subscribe to *The Washington Post National Weekly Edition*. And be privy to astute analysis of the policies, issues, debates and developments that make the world's pulse race.

You get the *inside* word here. Straight talk from the political pundits. In-depth coverage of the powers that be in Congress, the White House and abroad. Brilliant observations of the day's most significant political events. A roundup of rare, resourceful commentary on the Administration's every move.

This special weekly edition of *The Post* is read widely with the same high regard as our daily paper. It's full of exclusive reports and expert opinion to help you uncover the big-picture implications of today's agenda. It's written by individuals who are uniquely qualified to interpret Washington affairs with remarkable insight. Investigative reporters like Bob Woodward. Observers like Jim Hoagland and Robert Samuelson. Plus guest authorities in every field.

Week in and week out, *The Washington Post National Weekly Edition* keeps you abreast of our ever-swirling political scene. You get ...

■ **Capital Politics.** Penetrating assessments of the government's most controversial matters from the Pulitzer Prize-winning dean of American political analysts, David Broder.

Save 62% off the cover price!

■ **The Political Pulse.** Puts your finger on the significance of shifts and surges in the parties, voters, ethics, elections, campaigns, referendums, committees, lobbies and policies of America.

■ **The Global Pulse.** Amazing stories and investigative reports from the diplomatic front. We identify and examine the ripple effects of events as far away as the Persian Gulf to Peru, the Soviet Union to South Africa.

■ **The Economic Pulse.** Forecasts and appraisals that probe beneath the surface of such weighty economic matters as energy, credit, the stock market, international finance, banking, labor, trade and more.

■ **Commentary.** Lively debate and provocative ideas from George Will, Tom Edsall, Dan Balz and other foremost political thinkers and writers.

■ **Editorials.** Trenchant views edited by Pulitzer Prize-winning *Post* editorial page editor, Meg Greenfield — plus our eye-opening op-ed page and the amusing visual observations of Herblock, the three-time Pulitzer Prize-winning editorial cartoonist.

■ **The Government Pulse.** Stay on top of new directions in law, health care, defense and the environment. For example: AIDS prevention campaigns and federal funding. Global warming's price tag. The potential for postwar terrorism. The perils of mandatory retirement. And more.

■ **Book World.** The most important new books are subjected to candid, stimulating reviews by well-known scholars, opinion leaders and best-selling authors themselves.

■ **What Americans Think.** Enjoy fascinating poll results on timely topics: Presidential approval ratings, civil rights trends, military matters, lifestyle habits and more.

■ **Science Lab.** Study the outcome of revealing reports, special research experiments and bold, new discoveries in such fields as psychology, medicine and conservation.

Indeed, The Washington Post National Weekly Edition *imparts a wealth of knowledge on politics, government, the economy, international affairs, business and industry. Go ahead. Read it for information. And use it to make decisions.*

Subscribe now and save 62% off the cover price. Complete and return the coupon below — today.

Save 62%

(Complete, clip and mail coupon today.)

NATIONAL WEEKLY EDITION

The Washington Post

Subscription Savings Form **JWM9501**

☑ **YES!** Start my one-year subscription (52 issues) to *The Washington Post National Weekly Edition* for only $39. That's a savings of $9.00 off the basic subscription rate and $62.40 off the newsstand price.

❑ Payment enclosed.
❑ Bill me later.

Complete and mail to:
The Washington Post National Weekly Edition
P.O. Box 11331
Des Moines, IA 50340-1331

Allow 4-6 weeks for first issue to arrive

Name

Address

City State Zip

Satisfaction Guaranteed or your money back on all unmailed issues.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Current Events"

Rethinking Abortion

Equal Choice, the Constitution, and Reproductive Politics

MARK A. GRABER

Mark Graber looks at the history of abortion law in action to argue that the only defensible, constitutional approach to the issue is to afford all women equal choice. Abortion should remain legal, Graber argues, because statutory bans on abortion have a history of being enforced in ways that intentionally discriminate against poor persons and persons of color. This double standard violated the fundamental human and constitutional right of equal justice under law, a right that remains a major concern of the equal protection clause of the Fourteenth Amendment.

Cloth: $24.95 ISBN 0-691-01142-7 *Available June*

Down from Bureaucracy

The Ambiguity of Privatization and Empowerment

JOEL F. HANDLER

Throughout the world, politicians are dismantling state enterprises and heaping praise on private markets, while in the United States a new rhetoric of "citizen empowerment" links a widespread distrust of government to decentralization and privatization. Here Joel Handler asks whether this restructuring of authority really allows ordinary citizens to take more control of the things that matter in their lives. He traces the surprising ideological shifts of empowerment from its beginning as a cornerstone of the war on poverty in the 1960s to its central place in conservative market-based voucher schemes for school reform in the 1990s.

Cloth: $29.95 0-691-04461-9 *Available June*

Photo by Jim Hubbard

PRINCETON UNIVERSITY PRESS

AVAILABLE AT FINE BOOKSTORES OR DIRECTLY FROM THE PUBLISHER: 800-777-4726
WORLD WIDE WEB SITE: HTTP://AAUP.PUPRESS.PRINCETON.EDU/PUPRESS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED